

IN RE: PETITION FOR SPECIAL HEARING  
NE/Corner German Hill Road  
and 48th Street  
(6920-A German Hill Road)  
12th Election District  
7th Councilmanic District

Barry M. Blank  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-418-SPH  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for that property known as 6920-A German Hill Road, located in the vicinity of Dundalk Avenue in Dundalk. The Petition was filed by the owner of the property Barry M. Blank, and the Contract Lessee, Caldarazzo-Nauman Enterprises, Inc., by Henry Caldarazzo, President, through their attorney, Melvin J. Kodenski, Esquire. The Petition was filed in response to a zoning violation notice the Petitioners received for operating a tanning salon on the premises. Specifically, the Petitioners seek a determination that tanning facilities are an accessory use to a video rental store, pursuant to Zoning Policy Manual Section 4.1-4. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 6.

Notice of the public hearing was posted on the property and advertised in accordance with the Baltimore County Code. Appearing at the hearing on behalf of the Petition were Barry Blank, property owner, Henry D. Caldarazzo, Henry D. Caldarazzo, Jr., and Arthur Nauman, Contract Lessees of the subject property, and Melvin J. Kodenski, Esquire, attorney for the Petitioners. Numerous residents/customers from the surrounding community appeared in support of the request. However, a

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Date

By

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number of individuals from the surrounding locale appeared as interested persons/Protestants, including Dorothy Augustine and James Coffman, who served as spokesperson for the group. Also, Nancy Novak, President of the Graceland Park Improvement Association, appeared and testified. The attendance of other citizens who took an interest in the proceedings and appeared at the public hearing is reflected on the Sign-In Sheets which are part of the case file.

An examination of the site plan shows that the subject property consists of 0.506 acres, more or less, predominantly zoned B.L. with a small sliver of the site along the eastern side property line zoned D.R. 5.5. The property is improved with a one-story brick building which houses two retail businesses. A High's Dairy Store exists as one of the tenants and the business operated by Caldarazzo-Nauman Enterprises, Inc. is the other tenant. That tenant operates the business known as Video Attractions, which sells and rents videos. Mr. Caldarazzo testified that he is 50% stockholder of Caldarazzo-Nauman Enterprises, Inc., and that he has been in business at this location for approximately 4 and 1/2 years. He stated that he is retired from the police force and owns this video store and one other in Baltimore City. In addition to renting videos, which is the primary focus of the business, the store also sells prepackaged food items (soda, candy, popcorn, etc.) to supplement its business. Numerous photographs of the subject site were presented both depicting the exterior of the building and the interior of the business.

Mr. Caldarazzo testified that he installed three tanning booths in the rear of the store approximately 3 and 1/2 years ago. He indicated that these booths generate approximately 10% of the total income generated by the store. Moreover, they comprise approximately 7% of the total square

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Date 6/13/66  
By [Signature]

footage (2190 sq.ft.) of the store. The tanning booths were installed, according to Mr. Caldarazzo, to offer his clients another service and in keeping with the industry. In this regard, Mr. Caldarazzo testified that he is aware of two other video stores in Baltimore County, neither of which is under his ownership, which offer both video rentals and tanning facilities. Moreover, he produced a trade magazine which indicates that the video/tanning connection is "a proven combination".

As to the actual operation of the tanning facility, Mr. Caldarazzo indicated that his business accommodates both scheduled appointments and walk-ins. Most appointments are for 15 to 30 minute periods. Tanning is done in private and the tanning beds are in a locked room. Mr. Caldarazzo argued that this service is a convenience to his video customers and others and is operated without detriment to the surrounding locale.

Mr. Blank next testified in support of the Petition. He is the owner of the property and the landlord to Video Attractions and the High's store. It is of note that this property recently came in under a Petition for Variance. Apparently, at that time, the property owner and tenants contemplated adding an addition to the rear of the building to expand the area available for the retail businesses. By Order dated January 10, 1996, Deputy Commissioner Timothy M. Kotroco granted in part and denied in part the variance relief. Specifically, he granted the relief as it related to the existing building to legitimize existing conditions. However, relief was denied as it related to the proposed additions, both as to the requested rear yard setback variance and a requested parking variance. Moreover, Deputy Commissioner Kotroco's Order imposed a number of conditions which were attached to the relief. As I indicated at the hearing, Deputy Commissioner Kotroco's opinion is not overruled or set aside by consideration of

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Date

By

the subject Petition for Special Hearing. The terms and conditions of that prior Order remain in full force and effect and the property owner and his tenants are required to abide by those conditions. The question presented in the instant case is extremely narrow -- whether the tanning facility is a proper accessory use to the video rental store.

In this regard, it is of note that tanning facilities are not defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.). Tanning Booths, however, are referenced in the Zoning Commissioner's Policy Manual on Page 4-1.4. Specifically, it is noted that tanning facilities are not specifically listed in the zoning regulations but may be permitted as an accessory use in certain identified uses, such as beauty salons, health spas, etc. The Policy Manual specifically notes, however, that tanning facilities and their accessory use are not limited to only the uses designated within that Section.

Although tanning facilities are not defined, the term "Accessory Use" is defined in Section 101 of the B.C.Z.R. Specifically, the phrase "Accessory Use or Structure" is defined as "A use or structure which: (a) is customarily incident and subordinate to and serves a principal use or structure; (b) is subordinate in area, extent, or purpose to the principal use or structure; (c) is located on the same lot as the principal use or structure served; and (d) contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal use or structure served; except that, where specifically provided in the applicable regulations, accessory off-street parking need not be located on the same lot."

At first blush, it would seem that tanning facilities are not accessory uses to video stores. Although the subject use in this case is

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indeed subordinate to the primary use located on the same lot as the primary use and contributes to the comfort and convenience of the occupants of the use, the uses seem inherently different. That is, although the tanning facilities appear to comply with the precise wording of the accessory use definition, the uses seem inherently distinct. This is not for example, a case of a driving range at a golf course, where two separate uses are connected by a common theme.

Nonetheless, the fact that the use as described by the Petitioners complies with the definition set forth in Section 101 is persuasive. Moreover, the Petitioners' testimony was compelling that tanning salons can be considered a viable extension of a video store within the industry. In this regard, evidence of two other locations in Baltimore County is persuasive, as is the trade journal which was submitted as evidence.

Moreover, it is clear that our society, as a whole, is moving towards the trend of numerous and distinct services, available in one location. It was not so long ago that a gas station sold only fuel products and performed maintenance on vehicles. Now, convenience stores are located at most every service station. In addition to buying gasoline, one can purchase, food, household goods, etc. In retaliation of this trend, and in order to protect its own market, convenience stores now sell gasoline.

Based upon all of the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing. My basis in this respect is that the use as described by the Petitioners, does comply with the definition of accessory uses as set forth in the B.C.Z.R. Moreover, recognizing the current trend in the industry, I am convinced that tanning

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Date

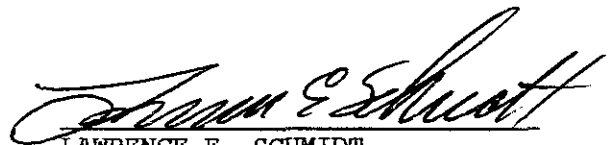
By

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facilities are a reasonable service in connection with the video rental business. Thus, the Petition for Special Hearing must and will be granted.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held on for the reasons set forth above, the Petition for Special Hearing shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18<sup>th</sup> day of June, 1996 that the tanning facilities on the subject property, in accordance with Petitioner's Exhibit 6, are an accessory use to the video rental store, pursuant to Zoning Policy Manual Section 4.1-4, and as such, the relief requested in the Petition for Special Hearing is hereby GRANTED.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING  
Date 6/13/96  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

June 18, 1996

(410) 887-4386

Melvin J. Kodenski, Esquire  
19 E. Fayette Street, Suite 400  
Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING  
NE/Corner German Hill Road and 48th Street  
(6920-A German Hill Road)  
12th Election District - 7th Councilmanic District  
Barry M. Blank - Petitioner  
Case No. 96-418-SPH

Dear Mr. Kodenski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. Barry M. Blank  
3748 Greenway Lane, Owings Mills, Md. 21117

Mr. Henry J. Caldarazzo  
Video Attractions, 6920-A German Hill Road, Baltimore, Md. 21222

Ms. Dorothy Augustine, 641 S. 48th Street, Baltimore, Md. 21224  
Mr. James Coffman, 6919-A German Hill Road, Baltimore, Md. 21222  
Ms. Nancy Novak, 537 46th Street, Baltimore, Md. 21224

People's Counsel; File

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417



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 6920-A German Hill Road

96 - 418 - SPH

which is presently zoned BL + DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Provide interpretation of providing tanning facilities as  
accessory - use to video rental store

Pursuant to Zoning Policy 4.1-4 ~~4.1~~

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

Caldarazzo - Nauman Enterprises, Inc.

Henry Caldarazzo - President

(Type or Print Name)

Henry Caldarazzo  
Signature

6920 A German Hill Road

Address

Baltimore, Maryland 21222

City

State

Zipcode

Legal Owner(s).

Barry M. Blank

(Type or Print Name)

Barry M. Blank  
Signature

Barry M. Blank

(Type or Print Name)

Barry M. Blank  
Signature

3748 Greenway Lane 581-0026

Address

Phone No

Owings Mills Maryland 21117

City State Zipcode

Name, Address and phone number of representative to be contacted

Melvin J. Kodenski, Esquire 685-510

Name

19 E. Fayette St. Ste 400, 21202

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ DATE \_\_\_\_\_

Attorney for Petitioner.

Melvin J. Kodenski

(Type or Print Name)

Melvin J. Kodenski  
Signature

19 E. Fayette St. Suite 400

Address

Phone No.

Baltimore MD 21202 685-5100

City

State

Zipcode

**DROP - OFF  
No REVIEW  
4/25/96  
44**



ORDER RECEIVED FOR FILING

Date

By

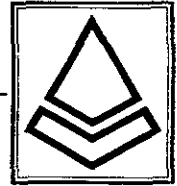
RECORDED



# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

917



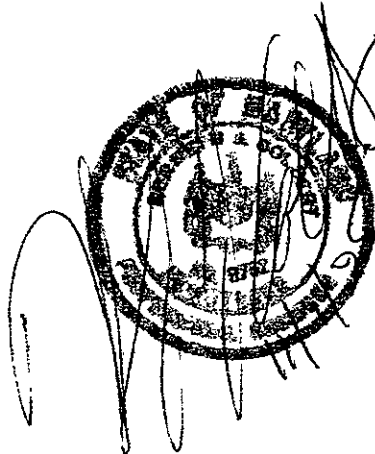
96-418-SPH

ZONING DESCRIPTION  
6820 GERMAN HILL ROAD  
12TH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME ON THE NORTHERN RIGHT-OF-WAY LINE OF GERMAN HILL ROAD, 50 FEET WIDE, 35 FEET, MORE OR LESS, NORTHEASTERLY FROM THE CENTERLINE OF 48TH STREET, THENCE DEPARTING SAID POINT AND BINDING ALONG THE EASTERN SIDE OF 48TH STREET, 50 FEET WIDE, THE FOLLOWING COURSES AND DISTANCES: (1) NORTH 56 DEGREES 07 MINUTES 39 SECONDS WEST 11.98 FEET; THENCE (2) NORTH 02 DEGREES 53 MINUTES 35 SECONDS WEST 155.53 FEET; THENCE LEAVING SAID 48TH STREET AND RUNNING (3) NORTH 87 DEGREES 06 MINUTES 25 SECONDS EAST 150.00 FEET; THENCE (4) SOUTH 02 DEGREES 53 MINUTES 35 SECONDS EAST 133.31 FEET TO THE AFOREMENTIONED NORTHERN RIGHT-OF-WAY LINE OF GERMAN HILL ROAD; THENCE BINDING ON SAID RIGHT-OF-WAY LINE (5) SOUTHWESTERLY 143.59 FEET ALONG AN ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 925.00 FEET WITH A CHORD BEARING AND DISTANCE SOUTH 75 DEGREES 17 MINUTES 12 SECONDS WEST 143.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.506 ACRES OF LAND, MORE OR LESS.

I:\JOBS\6820GERM.DES



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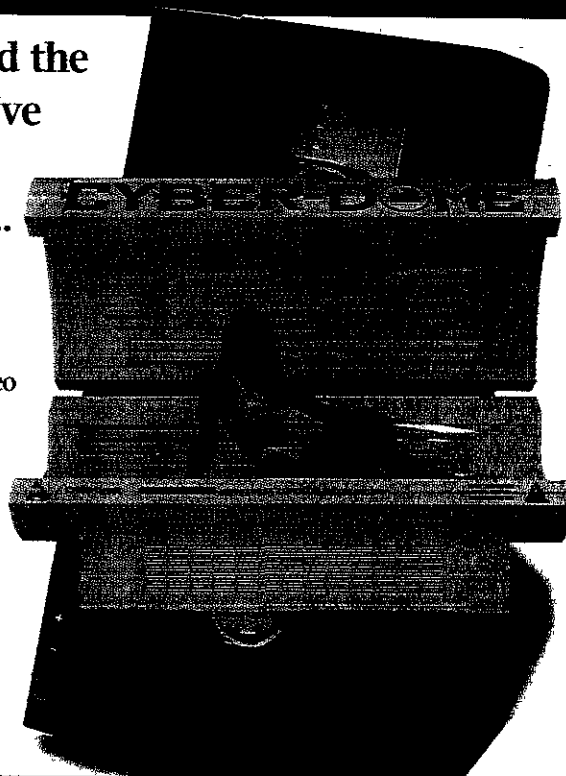
Pet #5

# It's Your Future!

## Videos & Tanning — A Proven Combination!

You've read the  
articles...You've  
heard the  
testimonials...  
You must  
act *now*!

Hundreds of video  
stores are already  
generating addi-  
tional revenue by  
adding tanning  
equipment from  
Sun Industries, Inc.



### FREE! NO OBLIGATION MARKETING INTRO-PACK GETS YOU STARTED...

✓ **FREE Break-Even Analysis**

*Explains operating expenses and income projections.*

✓ **FREE Demographic Research**

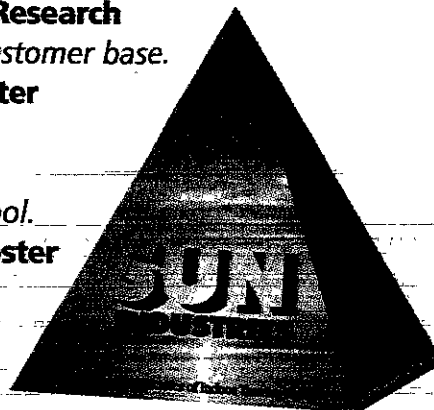
*Identifies potential customer base.*

✓ **FREE Marketing Poster**

*Measures customer  
interest—excellent  
marketing research tool.*

✓ **FREE Educational Poster**

*Explains in detail the  
tanning process,  
tanning procedures  
and guidelines.*



Limited time offer. Expires without notice.

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**1-800-643-0086, EXT 188**

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

96-418-3PH

District 12th  
Posted for: Special Hearing Date of Posting 5/18/96  
Petitioner: Berry 13/ort  
Location of property: 6920 Ct. Lorman Hill Rd  
Location of Sign: Facing roadway on property back zone  
Remarks: \_\_\_\_\_  
Posted by M. Shady Date of return: 5/24/96  
Number of Signs: 1

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# CERTIFICATE OF PUBLICATION

\_\_\_\_\_,  
TOWSON, MD., 5/9, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/9, 1996.

THE JEFFERSONIAN,

*A. Henrichson*  
LEGAL AD. - TOWSON

\_\_\_\_\_  
Patron

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**NOTICE OF HEARING**  
The zoning Commission of Baltimore County, Baltimore of the zoning and regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Offices Building 111 W. Chesapeake Avenue, Suite 106, Baltimore, Maryland 21204 on Monday, May 13, 1996 at 10:00 AM. The hearing will be held in Room 113 of the Courthouse.

**Maryland State Bar Association**  
Case #89-418-3 (appeal from 117)  
6920-A Garrett Hill Road  
NEC-Garrett Hill Road and 28th Street  
12th Election District  
7th Councilmanic Legal Office  
Barry W. Blank  
Complaint Publisher  
Calderazzo-Vallman Enterprises, Inc.  
Special Hearing to provide interpretation of providing language facilities as accessory use to video rental store.  
Hearing: Tuesday, June 4, 1996 at 10:00 AM in Room 113 of the Courthouse.

**LAWRENCE E. SCHMIDT**  
Zoning Commissioner for Baltimore County  
NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call 887-3353.  
(2) For information concerning the file and/or hearing. Please Call 887-3351.

5/11/96 May 9 05:57:6

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS-CASH RECEIPT

96-418-SPH

No.

013532

DROP-OFF PETITION

NO REVIEW

item 417

DATE 4/25/96

ACCOUNT 001-6150

AMOUNT \$ 285.00 (WCR)

RECEIVED  
FROM:

Kodenski & Canaras (\$250) & Bill Monk (\$35)

#020 - VARIANCE

#080 - SIGN POSTING

~~218~~xxx 6920-A German Hill Road

FOR:

MICROFILMED

CSH/11#00717/CHRC

\$285.00

BA COLL IDAM04-26-78

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 417

Petitioner: \_\_\_\_\_

Location: \_\_\_\_\_

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MELVIN J. KODENSKI

ADDRESS: 19 E. FAYETTE ST SUITE 400  
BALTIMORE, MD 21202

PHONE NUMBER: \_\_\_\_\_

AJ:ggg  
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(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY

May 9, 1996 Issue - Jeffersonian

Please forward billing to:

Melvin J. Kodenski

19 E. Fayette Street, Suite 400

Baltimore, MD 21202

685-5100

---

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-418-SPH (Item 417)

6920-A German Hill Road

NEC German Hill Road and 48th Street

12th Election District - 7th Councilmanic

Legal Owner(s): Barry M. Blank

Contract Purchaser: Caldarazzo-Nauman Enterprises, Inc.

Special Hearing to provide interpretation of providing tanning facilities as accessory use to video rental store.

HEARING: TUESDAY, JUNE 4, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 3, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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6920-A German Hill Road  
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Special Hearing to provide interpretation of providing tanning facilities as accessory use to video rental store.

HEARING: TUESDAY, JUNE 4, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large, stylized "A" and "J".

Arnold Jablon  
Director

cc: Barry M. Blank  
Caldarazzo-Nauman Enterprises, Inc.  
Melvin J. Kodenski, Es.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 28, 1996

Melvin J. Kodenski, Esquire  
19 E Fayette Street, Suite 400  
Baltimore, MD 21202

RE: Item No.: 417  
Case No.: 96-418-SPH  
Petitioner: B. M. Blank

Dear Mr. Kodenski:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 25, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 5-15-96

FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

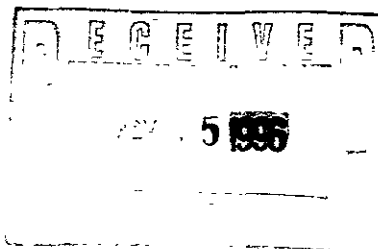
SUBJECT: Zoning Advisory Committee  
Meeting Date: May 6, 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	410	420
	411	421
	412	422
	413	
	414	
	415	
	416	
	417	

RBS:sp

BRUCE2/DEPRM/TXTSBP



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B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:      Arnold Jablon, Director  
         Permits and Development  
         Management

DATE:   May 16, 1996

FROM:    Pat Keller, Director  
         Office of Planning

SUBJECT:    Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 417, 442, 443, 444, 445, 447, and 448

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL



**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

5-1-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 417 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 04/16/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 06, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 410, 411, 413, 414, 415, 416,  
417, 418, 419, 420, 421 AND 422.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
6920-A German Hill Road, NEC German Hill	*	ZONING COMMISSIONER
Road and 48th Street, 12th Election	*	OF BALTIMORE COUNTY
District, 7th Councilmanic	*	
Legal Owner(s): Barry M. Blank	*	CASE NO. 96-418-SPH
Contract Purchaser: Caldarazzo-Nauman	*	
Enterprises, Inc.	*	
Petitioner	*	

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6<sup>th</sup> day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Melvin J. Kodenski, Esquire, 19 E. Fayette Street, Suite 400, Baltimore, MD 21202, attorney for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

MICROFILMED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 6, 1996

Melvin J. Kodenski, Esquire  
19 East Fayette Street  
Suite 400  
Baltimore, MD 21202

RE: Preliminary Petition Review (Item #417)  
6920-A German Hill Road  
12th Election District

Dear Mr. Kodenski:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. J. Kellman".

Mitchell J. Kellman  
Planner II  
Zoning Review

MJK:scj

Enclosure (receipt)

c: Zoning Commissioner  
Donna Thompson, Code Enforcement

MICROFILMED



SERVE ON THE FOLLOWING RESIDENT AGENT  
MELVIN J. KODENSKI, ESQUIRE KODENSKI AND CANARAS  
19 E. FAYETTE STREET SUITE 400 BALTIMORE, MARYLAND 21202

BALTIMORE COUNTY, MARYLAND  
CITATION FOR CIVIL ZONING VIOLATION  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204

CITATION NO. 96-269

NAME OF PERSON(S) CHARGED: BARRY M. BLANK

CURRENT ADDRESS IN FULL: 3748 GREENWAY LANE OWINGS MILLS, MARYLAND 21117

OWNER (X) OR OCCUPANT ( ) RELATED CITATIONS :

IT IS FORMALLY CHARGED BY BALTIMORE COUNTY THAT THE ABOVE NAMED PERSON(S) DID VIOLATE THE PROVISIONS OF THE BALTIMORE COUNTY ZONING REGULATIONS AND/OR THE BALTIMORE COUNTY CODE AS FOLLOWS:

SECTION NUMBER(S) VIOLATED: 101 "ACCESSORY USE", "SIGN"; 102.1; 230; ZCPM-400.1.e; 413.4

NATURE OF VIOLATION: USE OF PROPERTY ZONED B.L. TO COMMIT THE FOLLOWING:

1. OPERATION OF A TANNING FACILITY 2. TEMPORARY PORTABLE SIGN WITHOUT A TEMPORARY USE PERMIT

LOCATION AND DATE(S) OF VIOLATION: 6920 A GERMAN HILL ROAD BALTIMORE, MARYLAND 21222  
JANUARY 4, 1996 AND MARCH 12, 1996

TO RESPOND TO THE ABOVE CHARGE(S) LODGED AGAINST YOU, YOU MUST CHOOSE ONE OF THE OPTIONS BELOW:

1) YOU MAY PAY A FINE OF \$800 (\$400 FOR EACH ADDITIONAL DAY) BY CHECK OR MONEY ORDER PAYABLE TO THE DIRECTOR OF FINANCE, BALTIMORE COUNTY, MARYLAND, BY RETURNING A COPY OF THIS FORM ALONG WITH PAYMENT TO: DIRECTOR OF FINANCE, 1ST FLOOR, COURT HOUSE, TOWSON, MD 21204. THE PENALTY MUST BE PAID ON OR BEFORE THE 4TH DAY OF APRIL, 1996.

2). YOU MAY ELECT TO STAND TRIAL IN THE DISTRICT COURT OF MARYLAND. TO DO THIS, YOU MUST NOTIFY THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT BY FILLING IN THE ATTACHED PORTION OF THIS CITATION AND RETURNING IT TO THE ZONING ADMINISTRATION OFFICE AT LEAST FIVE (5) DAYS BEFORE THE PAYMENT DUE DATE AS SET FORTH IN THE FINE PAYMENT SECTION ABOVE. THE DISTRICT COURT WILL NOTIFY YOU OF THE DATE AND TIME OF TRIAL.

IF THE FINE REMAINS UNPAID AT THE EXPIRATION OF THE THIRTY-FIVE (35) DAYS FROM THE DATE OF THE CITATION, THE ZONING ADMINISTRATOR MAY REQUEST ADJUDICATION OF THE CASE IN DISTRICT COURT, AT WHICH TIME THE PERSON IS LIABLE FOR AN ADDITIONAL FINE NOT TO EXCEED TWICE THE ORIGINAL FINE. IF YOU FAIL TO APPEAR AT THE TRIAL, A BENCH WARRANT WILL BE ISSUED FOR YOUR ARREST.

I DO SOLEMNLY AFFIRM THAT THE CONTENTS STATED ABOVE ARE CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

3/15/96  
DATE

Donna Thompson  
OFFICE OF CODE ENFORCEMENT REPRESENTATIVE

BASED ON THE STATEMENT OF DONNA THOMPSON, THIS CITATION IS HEREBY ISSUED THIS 15TH DAY OF MARCH, 1996.

[Signature]  
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT

ACKNOWLEDGEMENT

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS CITATION AND HEREBY PROMISE TO PAY THE FINE OR REQUEST A TRIAL DATE AS REQUIRED BY LAW. I UNDERSTAND THAT THE ACCEPTANCE OF THIS CITATION IS NOT AN ADMISSION OF GUILT.

MICROFILMED



# WILLIAM MONK, INC.

PLANNING • LANDSCAPE DESIGN  
ENVIRONMENTAL RESOURCE MANAGEMENT

COURTHOUSE COMMONS, SUITE B-7  
222 BOSLEY AVENUE, TOWSON, MD 21204

## LETTER OF TRANSMITTAL

DATE 4/24/96	OUR JOB NO.
FILE NO.	YOUR JOB NO. 47
ATTENTION	
RE: 6820 GERMAN HILL RD	

TO

ZADM

ATTENTION: SOPHIA

GENTLEMEN:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via \_\_\_\_\_ the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications  
☐ Copy of letter ☐ Change order ☒ APPLICATION

DRAWING NO.	FILE NO.	DESCRIPTION	ACTION
3		APPLICATION	
12		SITE PLAN	
3		ZONING DESCRIPTION	
3		200 SCALE ZONING MAP	
		APPLICATION FEE	
		2 CHECKS	
		• \$250 SH	
		• \$35 SIBM	

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☐ As requested ☐ Submit \_\_\_\_\_ copies for distribution  
☐ For your use ☐ Resubmit \_\_\_\_\_ copies for approval ☐ Return \_\_\_\_\_ corrected prints  
☐ For review and comment ☐ \_\_\_\_\_  
☐ FOR BIDS DUE \_\_\_\_\_ MICROFILMED ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

PLAN HAS NOT BEEN REVIEWED BY STAFF.  
PROPERTY HAS OUTSTANDING VIOLATION NOTICE  
WHICH, IN TURN, PERCEPATED THE FILING OF  
THIS SPECIAL HEARING APP.

COPY TO:

SEE DONNA THOMPSON

SIGNED:

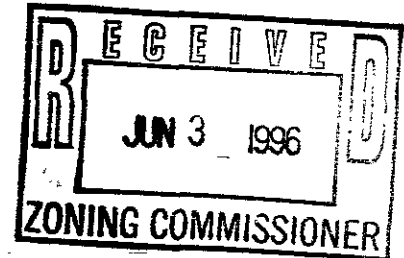
W. M. Monk

If enclosures are not as noted, kindly notify us at once.

# GRACELAND PARK IMPROVEMENT ASSOCIATION

May 24, 1996

Baltimore County Office of Planning & Zoning  
Arnold Jablon-Zoning Commissioner  
Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204



RE: Hearing for Interpretation of Accessory Use  
6920 C German Hill Road, Baltimore, MD 21224

Dear Mr. Jablon:

I want to express the Graceland Park Improvement Association membership's position on the request for allowing a tanning salon as an accessory use to the video rental business located at the captioned property. They have been, and still are against it.

At the Petition for Variance hearing (see Case No. 96-194-A) the residents voiced their concerns about the limited parking spaces available on the subject property for the *two* existing businesses- a High's and the Video Attractions store. The tanning salon business was not included in the calculation of required parking spaces for this hearing, which is significant. This exclusion presents an additional issue to the original conclusions of the Deputy Zoning Commissioner. Would the number of current parking spaces still have been considered sufficient? Based on our understanding of the zoning requirements, it would not. In addition, the very nature of going in for a tanning session would require prolonged time in a parking space, thereby creating a more difficult situation to the immediate parking problem.

In regards to the issue at hand, tanning viewed as an accessory use to a video rental establishment, no one is able to come to any logical reasons to support that deduction. The alteration of one's skin color (tanning) would be seen as an normal extension of the beauty business where hair and nails may undergo similar color changes. Tanning services are often provided with Spa memberships; however, no one recalls being part of any conversation where an individual states "I think I'll go and pick up a tan and a video"! Other video stores in this area do not include tanning as part of their operation, except for the second location of Video Attractions. Does this chain alone has a special insight into the needs of the typical video patron? We doubt it.

The residents are concerned there are still violations cited in the original hearing. The dumpster remains out on the parking lot. The outside lighting has not been improved to discourage loitering. Their solution to the foul graffiti on the building was to embellish upon the original work to "disguise" the lettering. Needless to say, the offensive words are still present. A temporary sign located on the property remains in the same spot where it was first placed, well

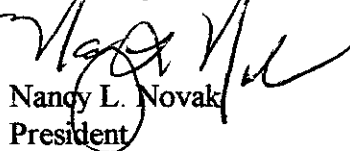
MICROFILMED

beyond the time limitation for such signs even with a permit. They cannot help but wonder if the owner has willingly paid the fines as outlined in zoning citation no. 96-269 rather than correct the situation.

In summary, this Association continues to support its members and other residents in the area with their opposition to any further commercial development of property in our neighborhood. We remain committed to the integrity and stability of the residential nature of our community. It is our desire to have the interpretation of tanning viewed as an accessory use be denied and trust your findings will concur. Please feel free to contact me at 284-5187 and direct any correspondence to:

Graceland Park Improvement Association  
Nancy L. Novak, President  
537 46th Street  
Baltimore, MD. 21224

Yours truly,

  
Nancy L. Novak  
President

ATTEST: Helma Wojcikowski

cc: Councilman Louis L. DePazzo

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NAME	ADDRESS
✓ <u>Stanley Augustini</u>	<u>641- S. 48<sup>th</sup> St. 21224</u>
✓ <u>JAMES COFFMAN</u>	<u>6919A GERMAN HILL RD. 21222</u>
<u>Agneta H. Mjt</u>	<u>6945 German Hill Rd. 21222</u>
<u>Mary E. Lapetina</u>	<u>6943 German Hill Rd. 21222</u>
✓ <u>PETER A. LAPETINA</u>	<u>" " " " "</u>
<u>Donald E Brady Sr.</u>	<u>6936 German Hill Rd. 21222</u>
<u>Charlotte A Brady</u>	<u>" " " " "</u>
✓ <u>LUCY MARZANO</u>	<u>635 48<sup>th</sup> ST 21224</u>
<u>Catherine M. Ruth</u>	<u>645- 48<sup>th</sup> St 21224</u>
<u>Charles J. Hufst</u>	<u>6945 GERMAN HILL RD.</u>
<u>BENJAMIN F. HUTSON</u>	<u>603 48<sup>th</sup> ST. 21224</u>
<u>ELEANOR HUTSON</u>	<u>" " " " "</u>
<u>Mary A. Pierce</u>	<u>617 S 48<sup>th</sup> St 21224</u>
<u>Kate Lumpter</u>	<u>625 S 48<sup>th</sup> St. 21224</u>
✓ <u>Belen Bartle</u>	<u>656 S. 48<sup>th</sup> St. - 21224</u>
✓ <u>Frances Szymanski</u>	<u>652 S. 48<sup>th</sup> St. 21224</u>
✓ <u>Anthony Modesto</u>	<u>637-48<sup>th</sup> St 21224</u>
<u>Salvatore Amato</u>	<u>718 S. 49<sup>th</sup> St. 21224</u>
<u>Gilda Augustina</u>	<u>641 S. 48<sup>th</sup> St. 21224</u>
✓ <u>Nancy Novak</u>	<u>PRES. GRACELAND PARK IMPV. ASSOC. 537 46<sup>th</sup> ST 21224</u>
✓ <u>Russell Claridge</u>	<u>628. 48<sup>th</sup> St 21224</u>
<u>Concetta Claridge</u>	<u>628 48<sup>th</sup> St 21224</u>
<u>Catherine Brunsen</u>	<u>632 48<sup>th</sup> St. 21224</u>

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**PETITIONER(S) SIGN-IN SHEET**

**ADDRESS**

22 Sellers Pt Rd.  
1217 - 485  
3405 Dunhaven Rd.  
406 S. LEHIGH ST  
232 ROXBORO RD  
1951 Inverton Rd.  
3413 BRENDAN Ave  
2212 Searles Rd.  
712 E 50TH

3901 MT PLEASANT  
1407 RASEWICK Ave.  
3748 Greenwood Lane  
40 English Run Turn

ZONING COMMISSIONER - WITNESS FORM

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

REPRESENTING: \_\_\_\_\_

SUPPORTING: PETITIONER \_\_\_\_\_

PROTESTANT \_\_\_\_\_

~~TESTIMONY~~: Exhibits

# ~~1A~~ - What is it?

# What is 3.42?

1A - H      Pictures store

1 Tim's Dec. 10<sup>th</sup> (first order)

## 2 Interior store-plan

3A-B Advertiser  
or 3205 old N. St.

Picture

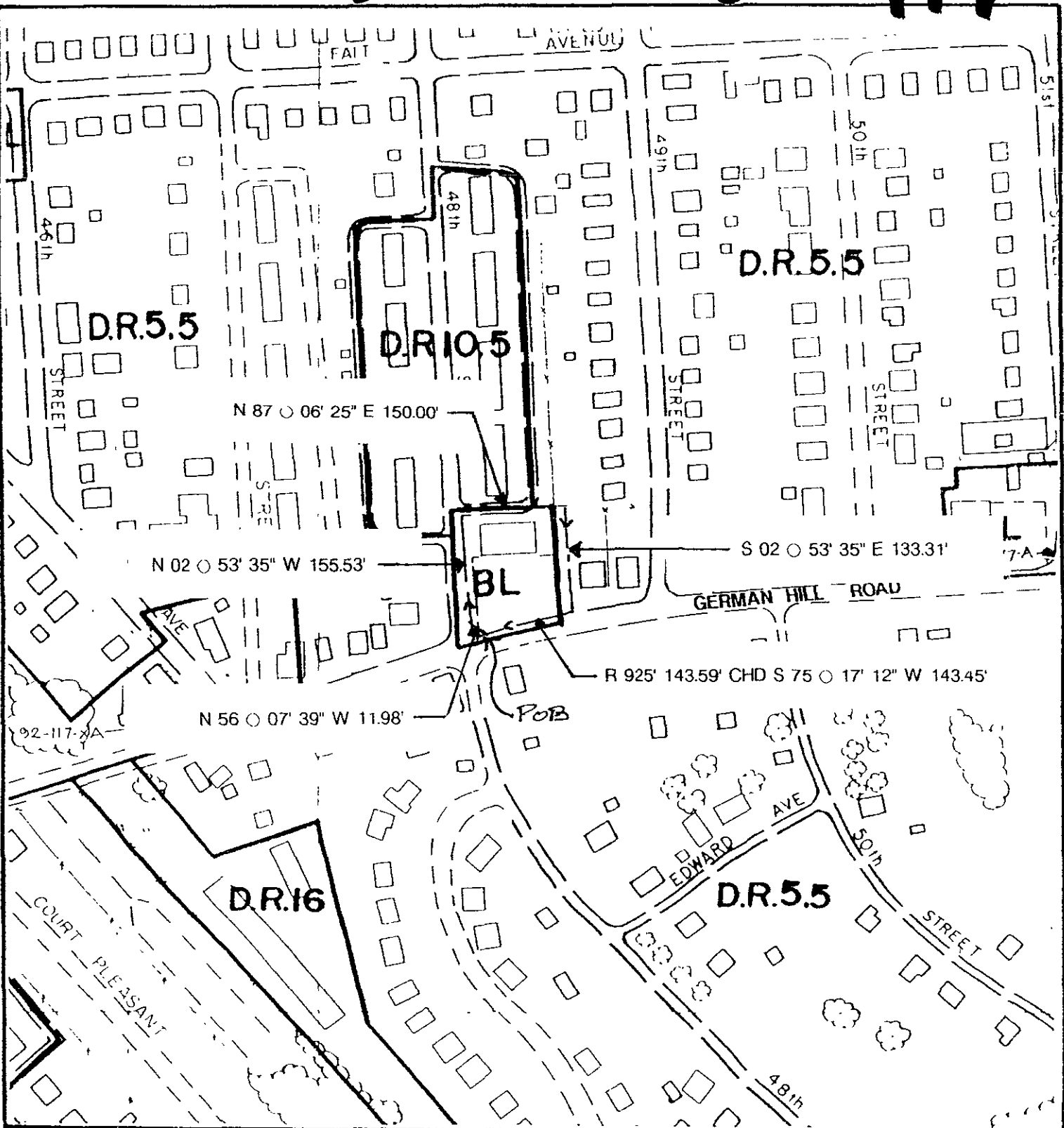
4 A - C      Other Store

5 National <sup>Trade Mag</sup> Ad

## 6 Site Plan

**DECLASSIFIED**

417



**WILLIAM MONK, INC.**

PLANNING / SITE DESIGN, ZONING, DEVELOPMENT SERVICES

COURTHOUSE COMMONS  
SUITE C-6

222 BOSLEY AVENUE  
TOWSON, MARYLAND 21204

96-418-SPH

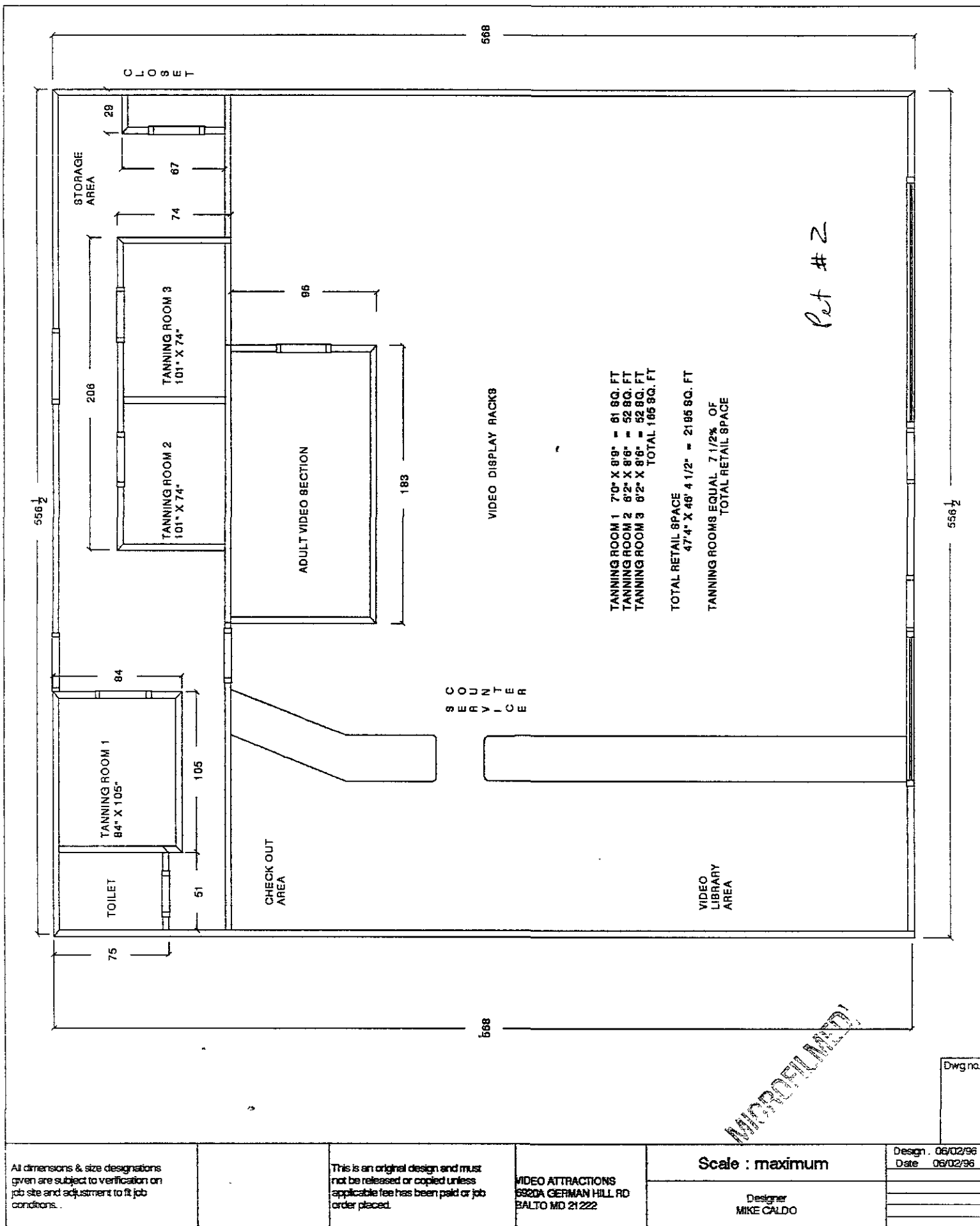
6820 GERMAN HILL ROAD

ZONING MAP

1" = 200'

**MICROFILMED**

SHEET SE E -2



All dimensions & size designations given are subject to verification on job site and adjustment to fit job conditions.

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

VIDEO ATTRACTIONS  
6920A GERMAN HILL RD  
BALTO MD 21222

Scale : maximum

Designer  
MIKE CALDO

Design . 06/02/96  
Date 06/02/96

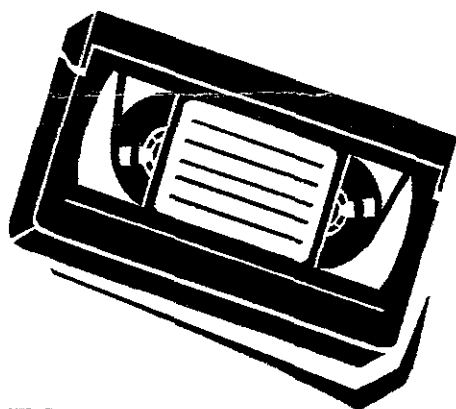
Dwg no.



# **FREE**

## **VIDEO MEMBERSHIP**

**OPEN FROM 12pm to 10pm 7 DAYS A WEEK**



**1 FREE  
VIDEO  
RENTAL**

OFFER EXPIRES JUNE 30, 1996

**RENT  
3 MOVIES FOR  
\$4.00**

**\$5.00 OFF  
MONTH OF  
TANNING**

OFFER EXPIRES JUNE 30, 1996

# **VIDEOS & THINGS**

**3205 OLD NORTH POINT RD.**

# **285-5346**

**MICROFILMED**

*Pt. #34*

# **FREE**

## **ACTIVATION OF YOUR PRESENT PAGER**

**PAGER  
SERVICE  
\$5.95<sup>+TAX</sup>  
PER MONTH  
YEARLY**



**PAGERS  
AS LOW AS  
\$29.99<sup>+TAX</sup>  
ACTIVATED WITH 2 FREE  
MONTHS OF SERVICE.  
NO HIDDEN COST OR FEES**

### **2 FREE MONTHS OF SERVICE WITH NEW PAGER PURCHASE**

### **BUY \* SELL \* TRADE \* REACTIVATE \* REPAIR**

**WE REPAIR PAGERS**

**WE HAVE THE LARGEST SELECTION  
OF ACCESSORIES IN THE AREA**

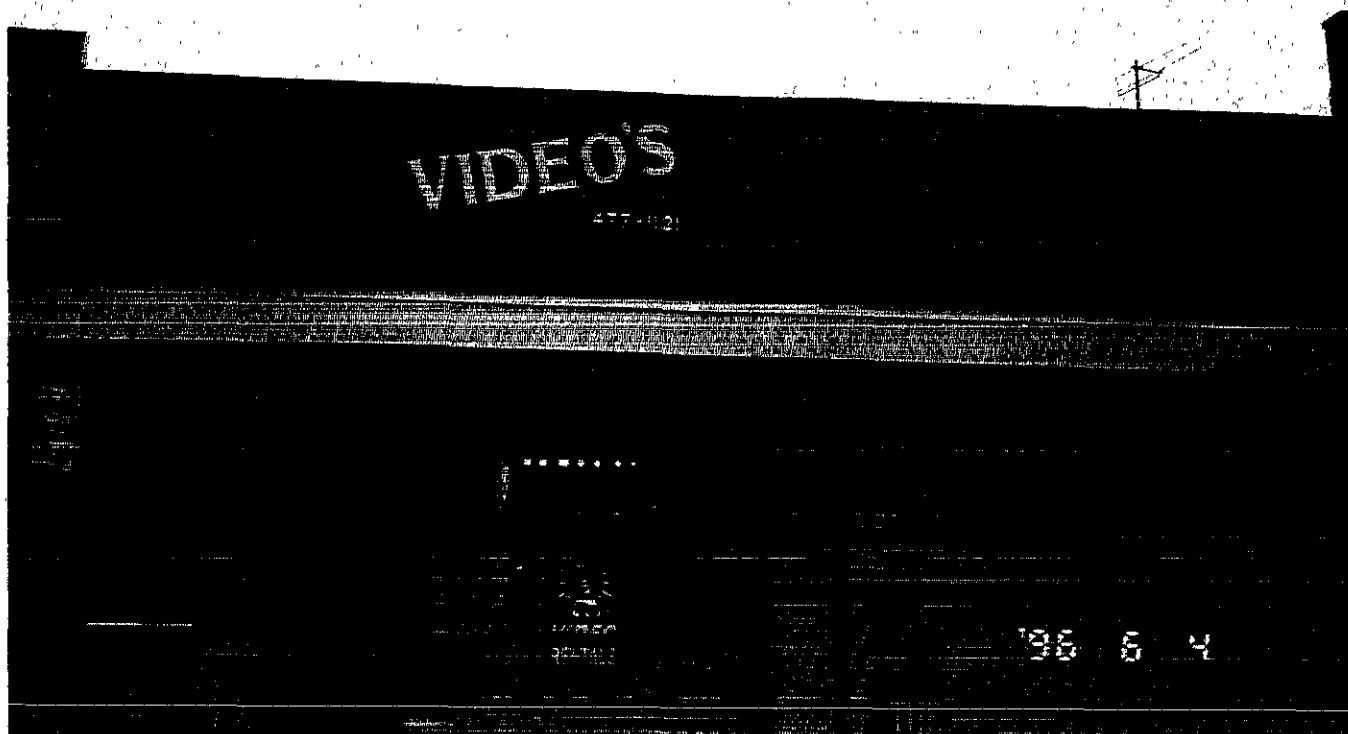
# **C.S.A. PAGING**

## **3205 OLD NORTH POINT RD.**

# **282-7090**

Petitioner's  
Exhibits 1A-1P  
photographs in  
Case No. 418-581

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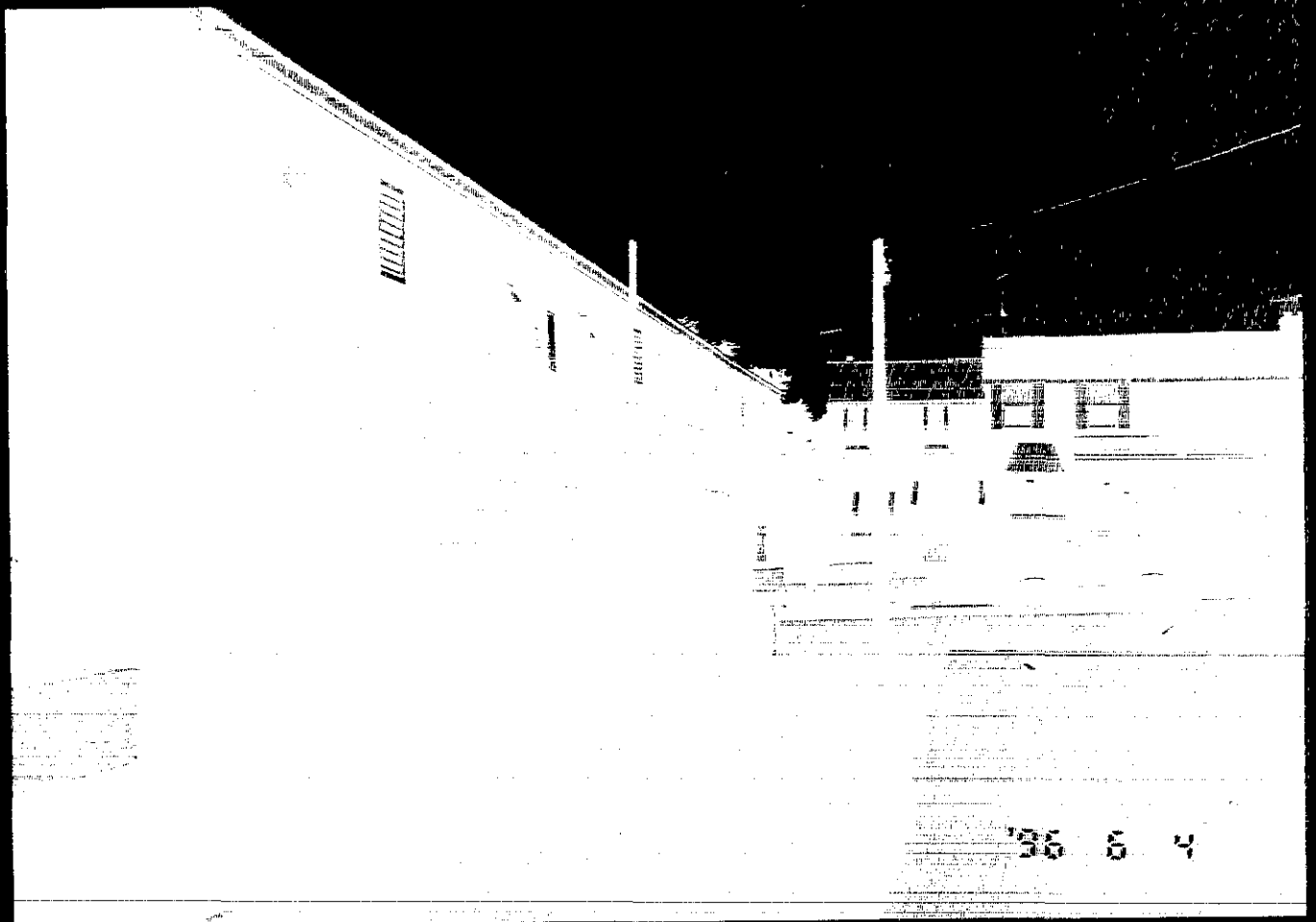
'96 6 4

*Video* **ATTRACTIONS**

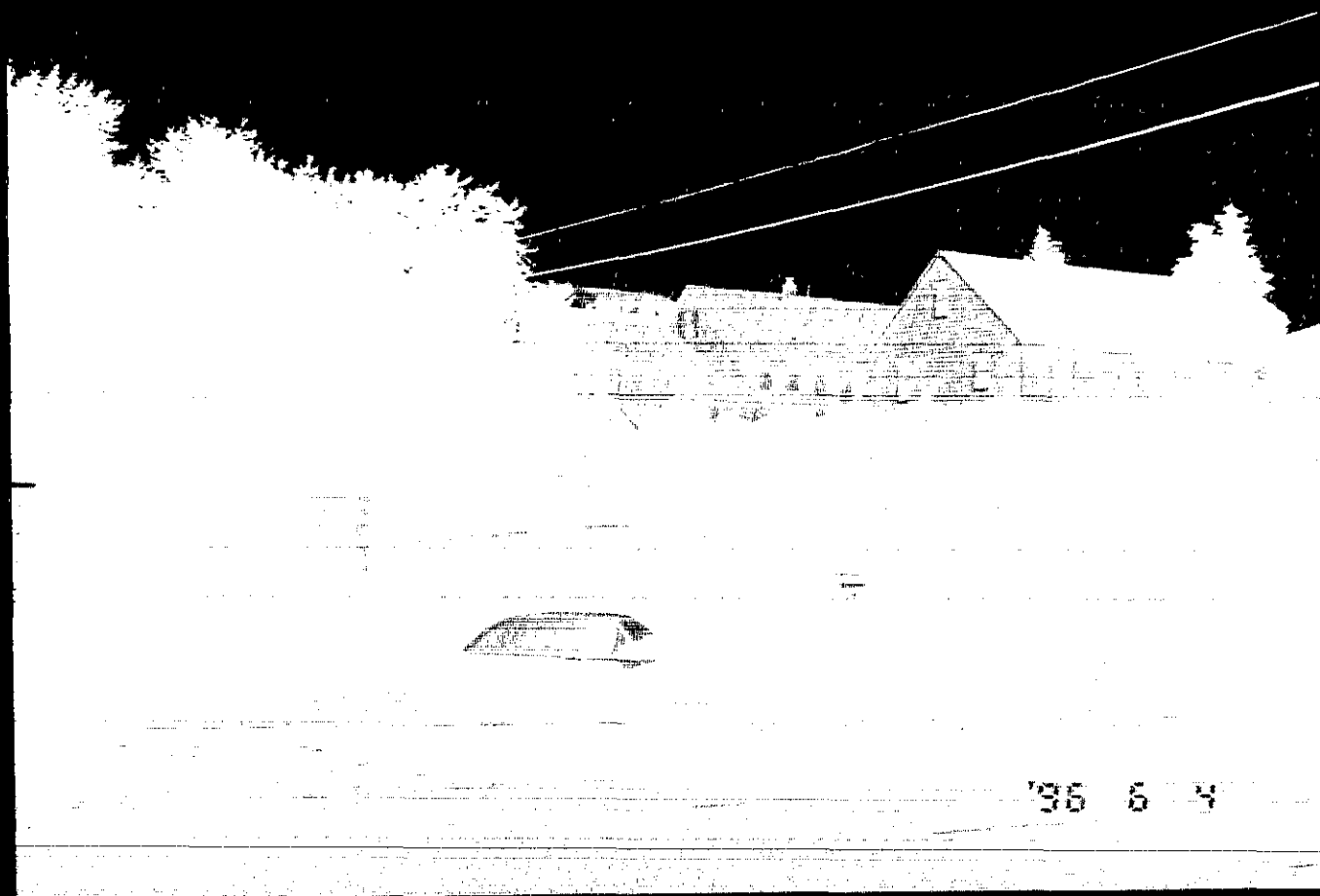
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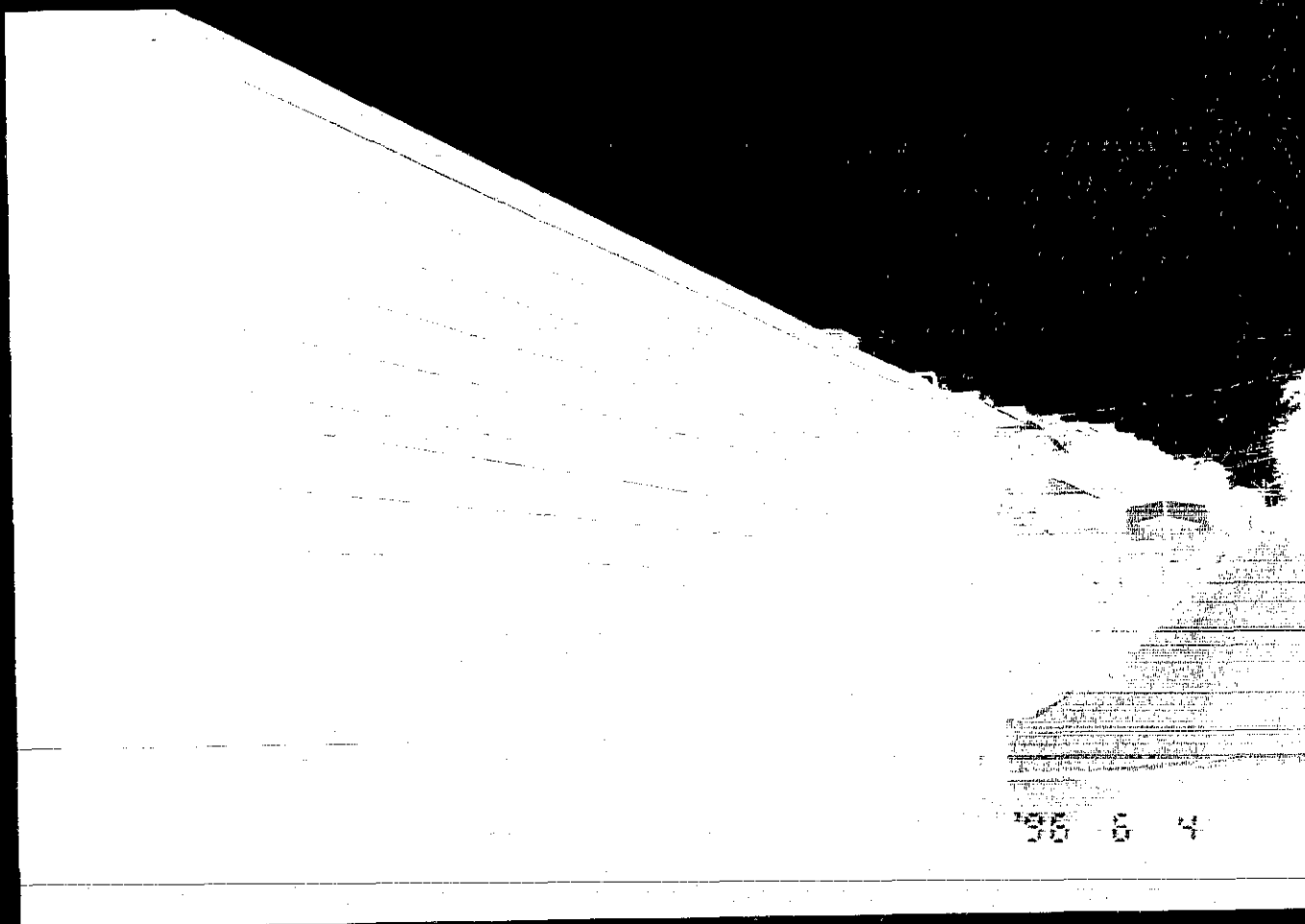
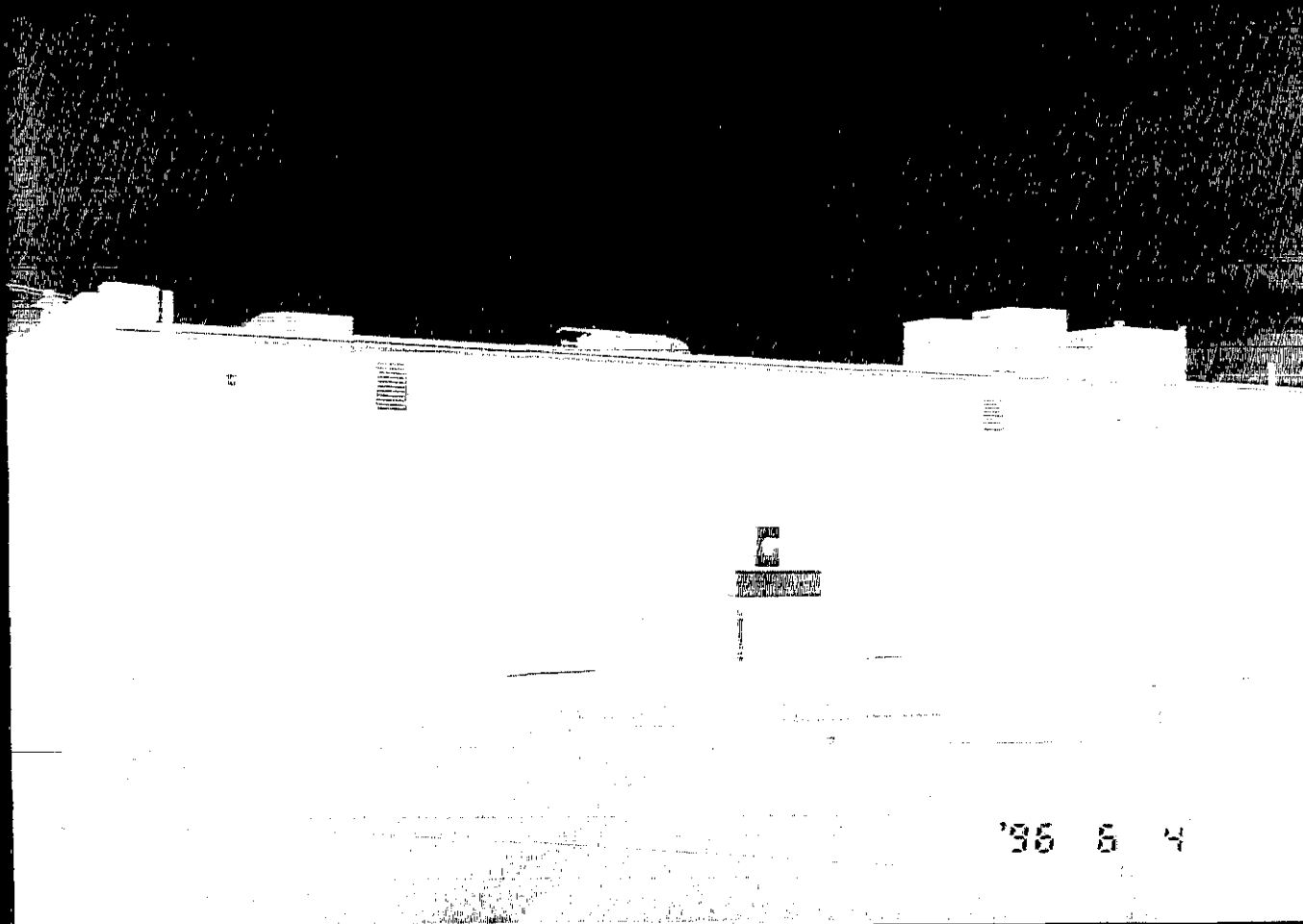


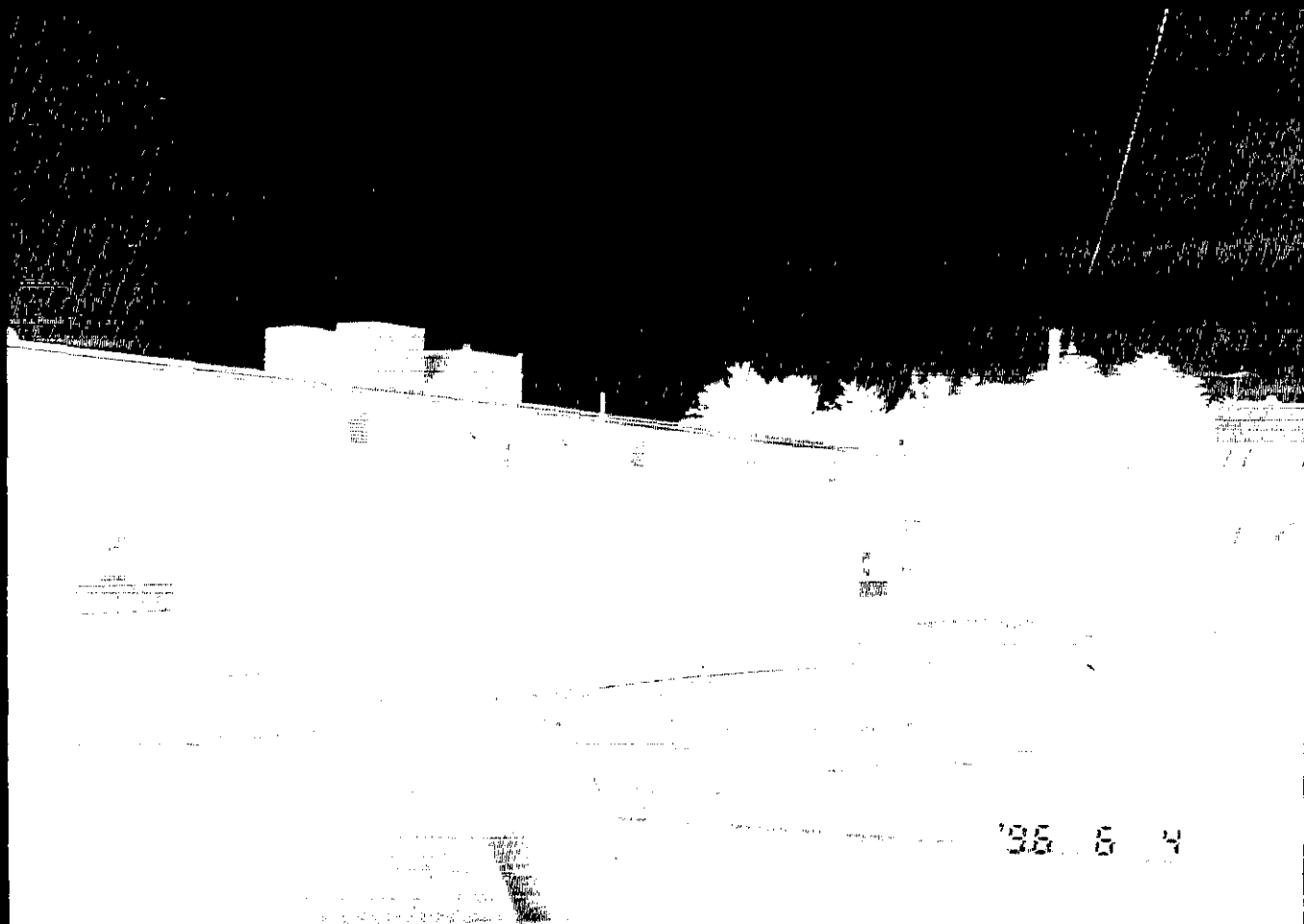


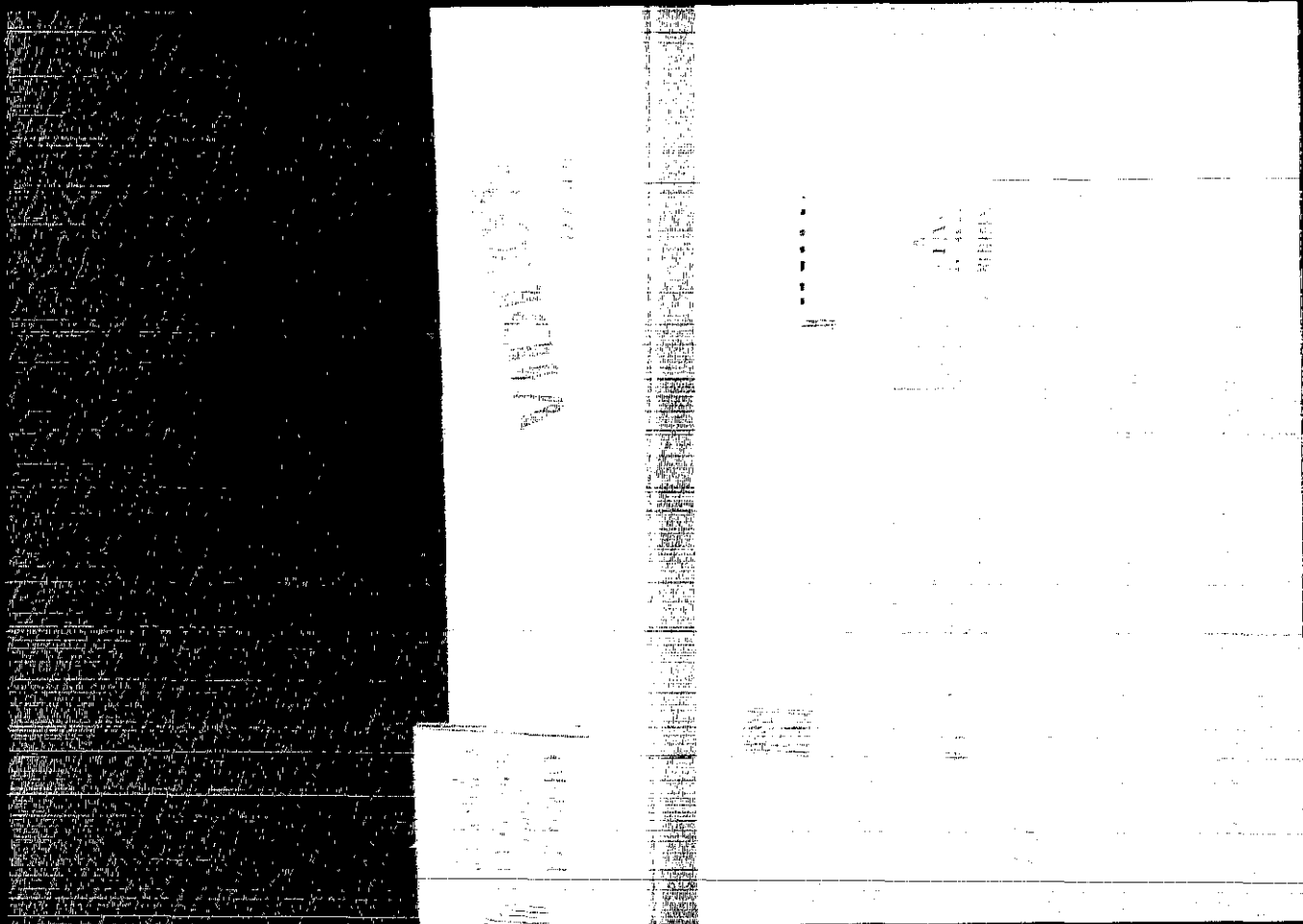
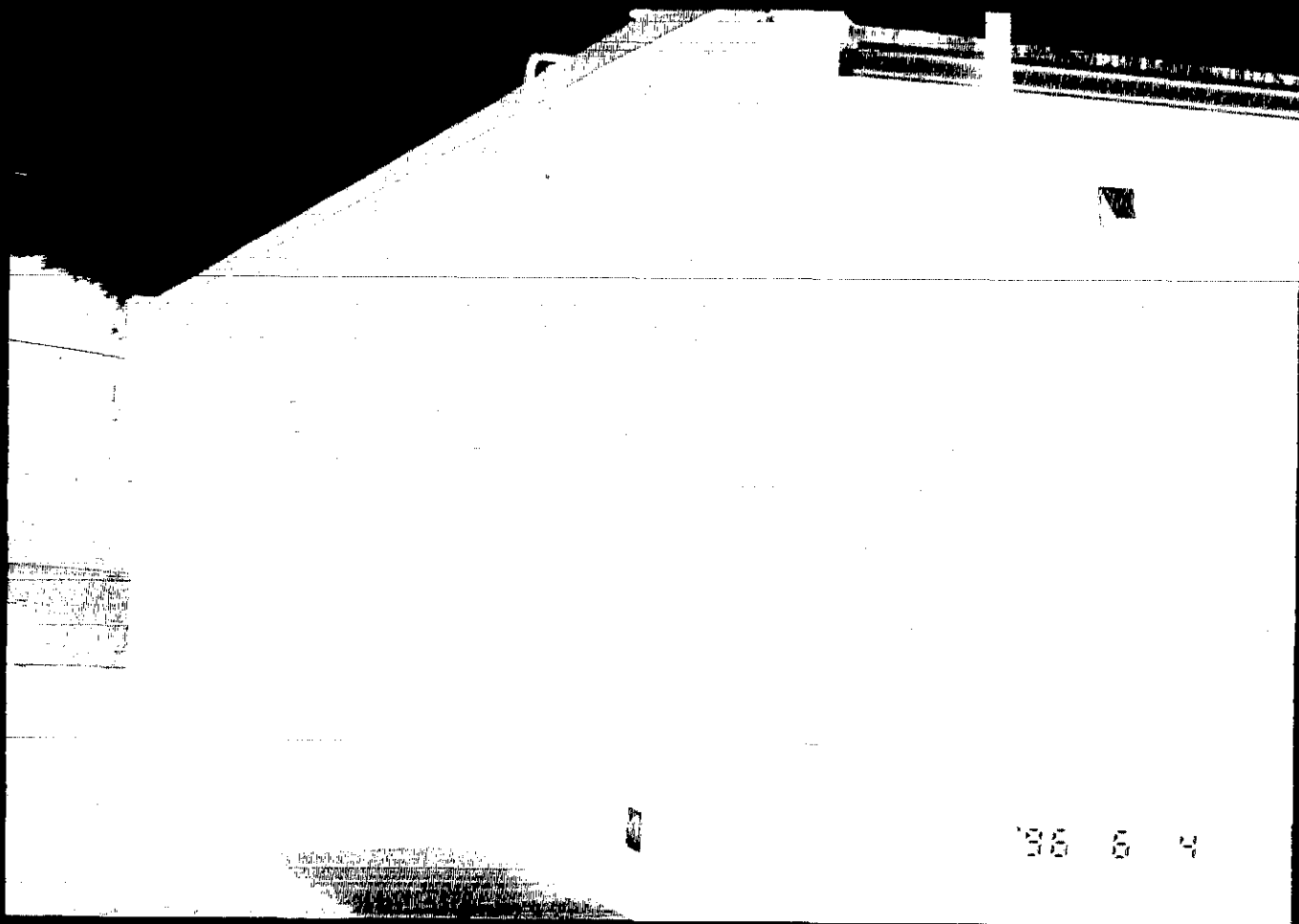


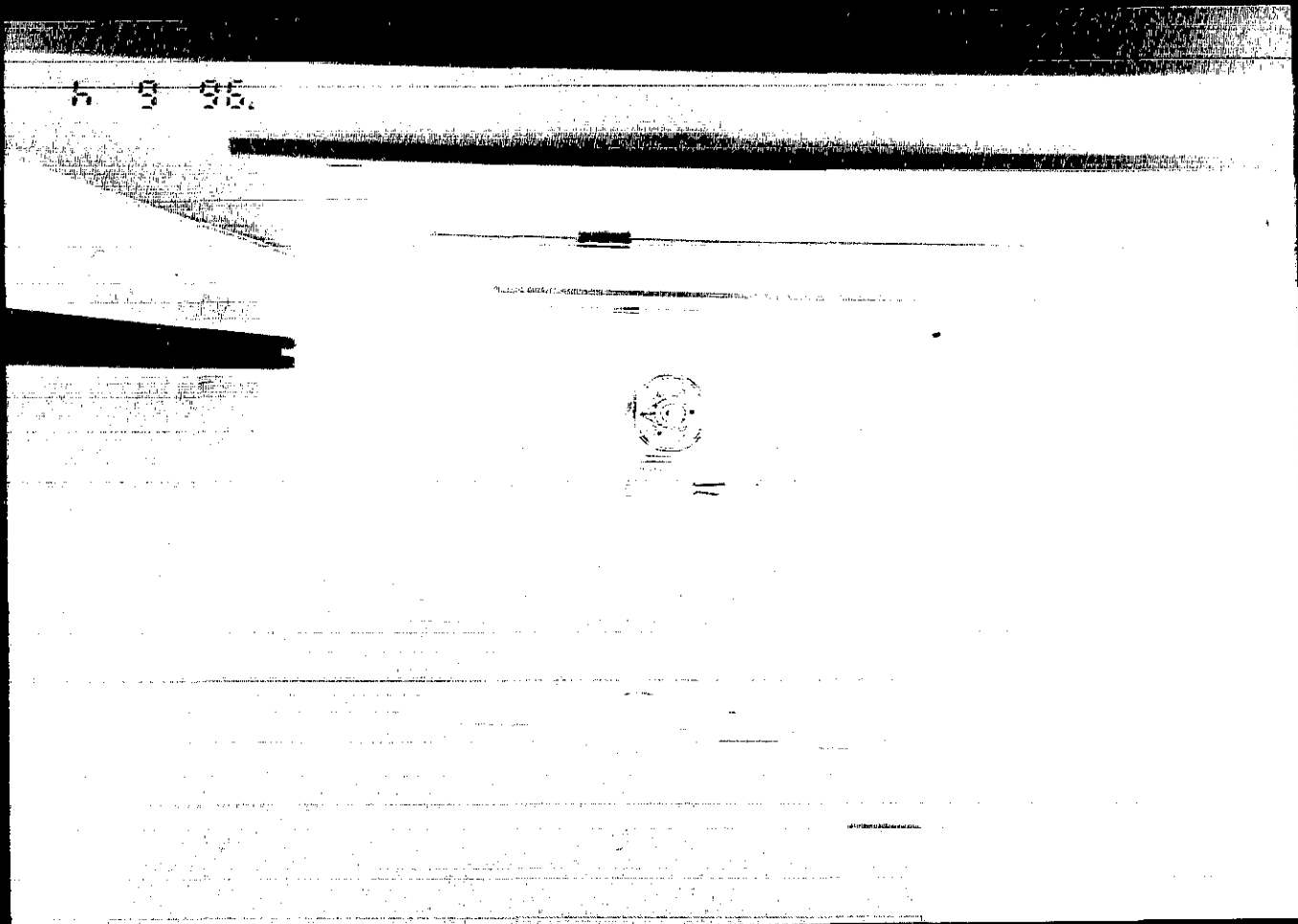
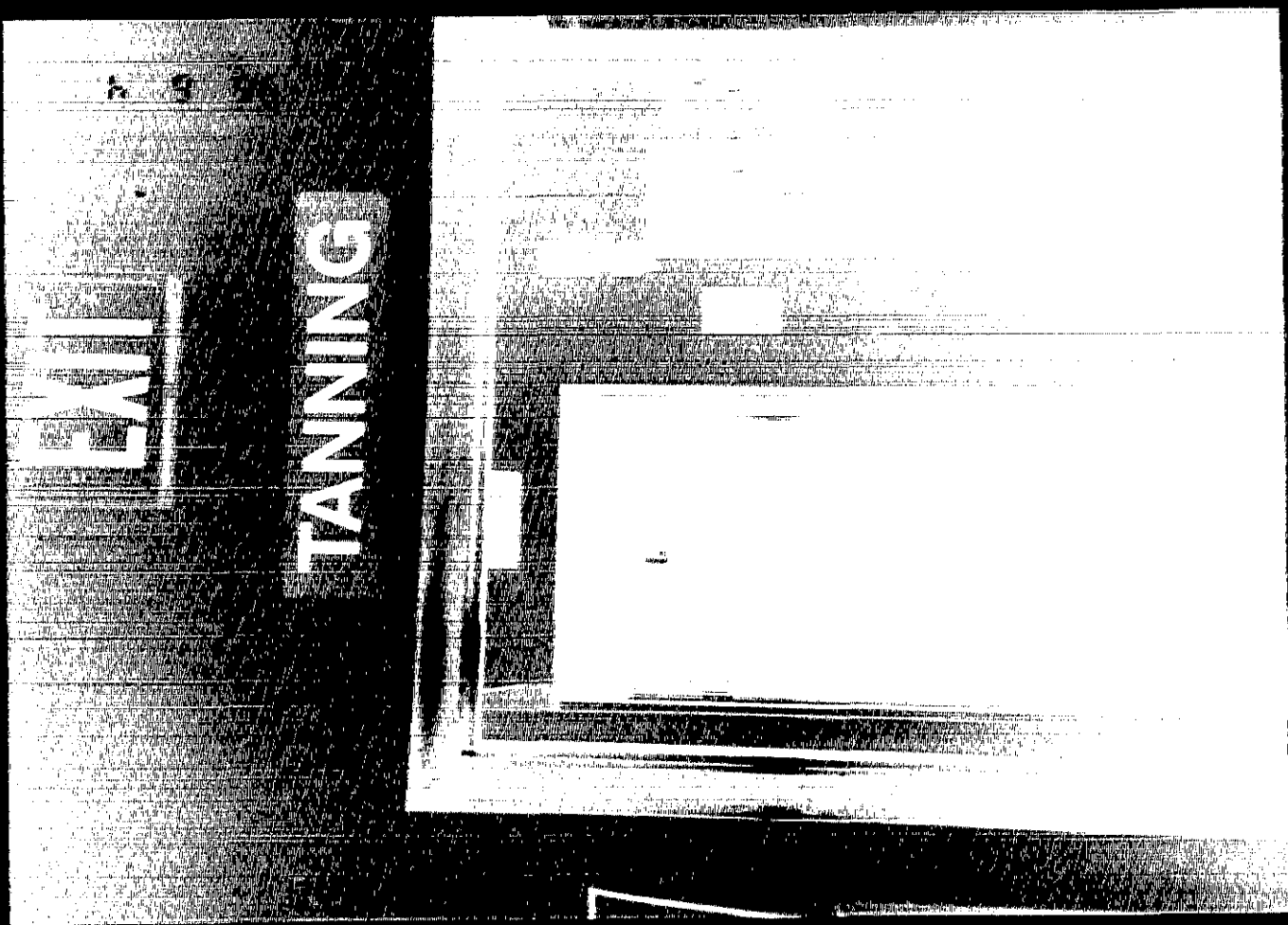












IN RE: PETITION FOR SPECIAL HEARING  
ME/Corner German Hill Road  
and 48th Street  
(6920-A German Hill Road)  
12th Election District  
7th Councilmanic District  
Barry M. Blank  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-418-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for that property known as 6920-A German Hill Road, located in the vicinity of Dundalk Avenue in Dundalk. The Petition was filed by the owner of the property Barry M. Blank, and the Contract Lessee, Caldarazzo-Nauman Enterprises, Inc., by Henry Caldarazzo, President, through their attorney, Melvin J. Kodenski, Esquire. The Petition was filed in response to a zoning violation notice the Petitioners received for operating a tanning salon on the premises. Specifically, the Petitioners seek a determination that tanning facilities are an accessory use to a video rental store, pursuant to Zoning Policy Manual Section 4.1-4. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 6.

Notice of the public hearing was posted on the property and advertised in accordance with the Baltimore County Code. Appearing at the hearing on behalf of the Petition were Barry Blank, property owner, Henry D. Caldarazzo, Henry D. Caldarazzo, Jr., and Arthur Nauman, Contract Lessees of the subject property, and Melvin J. Kodenski, Esquire, attorney for the Petitioners. Numerous residents/customers from the surrounding community appeared in support of the request. However, a

number of individuals from the surrounding locale appeared as interested persons/Protestants, including Dorothy Augustine and James Coffman, who served as spokesperson for the group. Also, Nancy Novak, President of the Graceland Park Improvement Association, appeared and testified. The attendance of other citizens who took an interest in the proceedings and appeared at the public hearing is reflected on the Sign-In Sheets which are part of the case file.

An examination of the site plan shows that the subject property consists of 0.506 acres, more or less, predominantly zoned B.L. with a small sliver of the site along the eastern side property line zoned D.R. 5.5. The property is improved with a one-story brick building which houses two retail businesses. A High's Dairy Store exists as one of the tenants and the business operated by Caldarazzo-Nauman Enterprises, Inc. is the other tenant. That tenant operates the business known as Video Attractions, which sells and rents videos. Mr. Caldarazzo testified that he is 50% stockholder of Caldarazzo-Nauman Enterprises, Inc., and that he has been in business at this location for approximately 4 and 1/2 years. He stated that he is retired from the police force and owns this video store and one other in Baltimore City. In addition to renting videos, which is the primary focus of the business, the store also sells prepackaged food items (soda, candy, popcorn, etc.) to supplement its business. Numerous photographs of the subject site were presented both depicting the exterior of the building and the interior of the business.

Mr. Caldarazzo testified that he installed three tanning booths in the rear of the store approximately 3 and 1/2 years ago. He indicated that these booths generate approximately 10% of the total income generated by the store. Moreover, they comprise approximately 7% of the total square

- 2 -

footage (2190 sq.ft.) of the store. The tanning booths were installed, according to Mr. Caldarazzo, to offer his clients another service and in keeping with the industry. In this regard, Mr. Caldarazzo testified that he is aware of two other video stores in Baltimore County, neither of which is under his ownership, which offer both video rentals and tanning facilities. Moreover, he produced a trade magazine which indicates that the video/tanning connection is "a proven combination".

As to the actual operation of the tanning facility, Mr. Caldarazzo indicated that his business accommodates both scheduled appointments and walk-ins. Most appointments are for 15 to 30 minute periods. Tanning is done in private and the tanning beds are in a locked room. Mr. Caldarazzo argued that this service is a convenience to his video customers and others and is operated without detriment to the surrounding locale.

Mr. Blank next testified in support of the Petition. He is the owner of the property and the Landlord to Video Attractions and the High's store. It is of note that this property recently came in under a Petition for Variance. Apparently, at that time, the property owner and tenants contemplated adding an addition to the rear of the building to expand the area available for the retail businesses. By Order dated January 10, 1996, Deputy Commissioner Timothy M. Kotroco granted in part and denied in part the variance relief. Specifically, he granted the relief as it related to the existing building to legitimize existing conditions. However, relief was denied as it related to the proposed additions, both as to the requested rear yard setback variance and a requested parking variance. Moreover, Deputy Commissioner Kotroco's Order imposed a number of conditions which were attached to the relief. As I indicated at the hearing, Deputy Commissioner Kotroco's opinion is not overruled or set aside by consideration of

- 3 -

the subject Petition for Special Hearing. The terms and conditions of that prior Order remain in full force and effect and the property owner and his tenants are required to abide by those conditions. The question presented in the instant case is extremely narrow -- whether the tanning facility is a proper accessory use to the video rental store.

In this regard, it is of note that tanning facilities are not defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.). Tanning Booths, however, are referenced in the Zoning Commissioner's Policy Manual on Page 4-1.4. Specifically, it is noted that tanning facilities are not specifically listed in the zoning regulations but may be permitted as an accessory use in certain identified uses, such as beauty salons, health spas, etc. The Policy Manual specifically notes, however, that tanning facilities and their accessory use are not limited to only the uses designated within that Section.

Although tanning facilities are not defined, the term "Accessory Use" is defined in Section 101 of the B.C.Z.R. Specifically, the phrase "Accessory Use or Structure" is defined as "A use or structure which: (a) is customarily incident and subordinate to and serves a principal use or structure; (b) is subordinate in area, extent, or purpose to the principal use or structure; (c) is located on the same lot as the principal use or structure served; and (d) contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal use or structure served; except that, where specifically provided in the applicable regulations, accessory off-street parking need not be located on the same lot."

At first blush, it would seem that tanning facilities are not accessory uses to video stores. Although the subject use in this case is

- 4 -

indeed subordinate to the primary use located on the same lot as the primary use and contributes to the comfort and convenience of the occupants of the use, the uses seem inherently different. That is, although the tanning facilities appear to comply with the precise wording of the accessory use definition, the uses seem inherently distinct. This is not for example, a case of a driving range at a golf course, where two separate uses are connected by a common theme.

Nonetheless, the fact that the use as described by the Petitioners complies with the definition set forth in Section 101 is persuasive. Moreover, the Petitioners' testimony was compelling that tanning salons can be considered a viable extension of a video store within the industry. In this regard, evidence of two other locations in Baltimore County is persuasive, as is the trade journal which was submitted as evidence.

Moreover, it is clear that our society, as a whole, is moving towards the trend of numerous and distinct services, available in one location. It was not so long ago that a gas station sold only fuel products and performed maintenance on vehicles. Now, convenience stores are located at most every service station. In addition to buying gasoline, one can purchase, food, household goods, etc. In retaliation of this trend, and in order to protect its own market, convenience stores now sell gasoline.

Based upon all of the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing. My basis in this respect is that the use as described by the Petitioners, does comply with the definition of accessory uses as set forth in the B.C.Z.R. Moreover, recognizing the current trend in the industry, I am convinced that tanning

- 5 -

facilities are a reasonable service in connection with the video rental business. Thus, the Petition for Special Hearing must and will be granted. Pursuant to the advertisement, posting of the property and public hearing on this Petition held on for the reasons set forth above, the Petition for Special Hearing shall be granted.

THEREFORE, it IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of June, 1996 that the tanning facilities on the subject property, in accordance with Petitioner's Exhibit 6, are an accessory use to the video rental store, pursuant to Zoning Policy Manual Section 4.1-4, and as such, the relief requested in the Petition for Special Hearing is hereby GRANTED.

LES:bjs

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

June 18, 1996 (410) 887-4386

Melvin J. Kodenski, Esquire  
19 E. Fayette Street, Suite 400  
Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING  
NE/Corner German Hill Road and 48th Street  
(6920-A German Hill Road)  
12th Election District - 7th Councilmanic District  
Barry M. Blank - Petitioner  
Case No. 96-418-SPH

Dear Mr. Kodenski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. Barry M. Blank  
3748 Greenway Lane, Owings Mills, Md. 21117

Mr. Henry J. Caldarazzo  
Video Attractions, 6920-A German Hill Road, Baltimore, Md. 21222

Ms. Dorothy Augustine, 641 S. 48th Street, Baltimore, Md. 21224

Mr. James Coffman, 6919-A German Hill Road, Baltimore, Md. 21222

Ms. Nancy Novak, 537 46th Street, Baltimore, Md. 21224

People's Counsel; File

Petition for Special Hearing  
to the Zoning Commissioner of Baltimore County

for the property located at 6920-A German Hill Road  
which is presently zoned BL + DR5.5

96-418-SPH

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Provide interpretation of providing tanning facilities as accessory - use to video rental store

Pursuant to Zoning Policy 4.1-4 a/b

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s)  
Caldarazzo - Nauman Enterprises, Inc.  
Henry Caldarazzo - President  
Barry M. Blank  
6920 A German Hill Road  
Baltimore, Maryland 21222

Attest:  
Melvin J. Kodenski  
Owings Mills, Maryland 21117  
Melvin J. Kodenski, Esquire 685-510  
19 E. Fayette St. Ste 400, 21202

ESTIMATED LENGTH OF HEARING  
the following date: 4/25/96  
REVIEWED BY: DATE





BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: May 16, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):  
Item No. 417, 442, 443, 444, 445, 447, and 448

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey M. Long  
Division Chief: Darryl L. Kerns

PK/JL

ITEM442/PZONE/TEXTJWL

Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 417 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government  
Fire Department

700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410)887-4880

DATE: 04/16/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 06, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 410, 411, 413, 414, 415, 416, 417, 418, 419, 420, 421 AND 422.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office. PHONE 887-4881. MS-1102F

cc: File

Printed with Sustainable Ink  
on Recycled Paper

RE: PETITION FOR SPECIAL HEARING  
6920-A German Hill Road, REC German Hill  
Road and 48th Street, 12th Election  
District, 7th Councilmanic

Legal Owner(s): Barry M. Blank  
Contract Purchaser: Caldrazzo-Nauman  
Enterprises, Inc.

Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 96-418-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12<sup>th</sup> day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Melvin J. Kodenski, Esquire, 19 E. Fayette Street, Suite 400, Baltimore, MD 21202, attorney for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 6, 1996

Melvin J. Kodenski, Esquire  
19 East Fayette Street  
Suite 400  
Baltimore, MD 21202

RE: Preliminary Petition Review (Item #417)  
6920-A German Hill Road  
12th Election District

Dear Mr. Kodenski:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

Mitchell J. Kellman  
Mitchell J. Kellman  
Planner II  
Zoning Review

MJK:scj

Enclosure (receipt)

c: Zoning Commissioner  
Donna Thompson, Code Enforcement

SERVE ON THE FOLLOWING RESIDENT AGENT:  
MELVIN J. KODENSKI, ESQUIRE, KODENSKI AND CANDIAS  
19 E. FAYETTE STREET, SUITE 400 BALTIMORE, MARYLAND 21202

BALTIMORE COUNTY, MARYLAND  
CITATION FOR CIVIL ZONING VIOLATION  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204

CITATION NO. 96-269

NAME OF PERSON(S) CHARGED: Barry M. Blank

CURRENT ADDRESS IN FULL: 3748 GREENWAY LANE, OWINGS MILLS, MARYLAND 21117

OWNER (S) OR OCCUPANT (S) RELATED CITATIONS:

IT IS FORMALLY CHARGED BY BALTIMORE COUNTY THAT THE ABOVE NAMED PERSON(S) DID VIOLATE THE PROVISIONS OF THE BALTIMORE COUNTY ZONING REGULATIONS AND/OR THE BALTIMORE COUNTY CODE AS FOLLOWS:

SECTION NUMBER(S) VIOLATED: 101 "ACCESSORY USE", "SIGN", 107.1, 200, 200-100.1, 413.3

NATURE OF VIOLATION: USE OF PROPERTY ZONED B-1 TO CONDUCT THE FOLLOWING:

1. OPERATION OF A TANNING FACILITY 2. TEMPORARY PORTABLE SIGN WITHOUT A TEMPORARY USE PERMIT

LOCATION AND DATE(S) OF VIOLATION: 6920 A GERMAN HILL ROAD, BALTIMORE, MARYLAND 21222  
JANUARY 3, 1996 AND MARCH 12, 1996

TO RESPOND TO THE ABOVE CHARGE(S) LOADED AGAINST YOU, YOU MUST CHOOSE ONE OF THE OPTIONS BELOW:

1) YOU MAY PAY A FINE OF \$800 (\$400 FOR EACH ADDITIONAL DAY) BY CHECK OR MONEY ORDER PAYABLE TO THE DIRECTOR OF FINANCE, BALTIMORE COUNTY, MARYLAND, BY RETURNING A COPY OF THIS FORM ALONG WITH PAYMENT TO: DIRECTOR OF FINANCE, 1ST FLOOR, COURT HOUSE, TOWSON, MD 21204. THE FINE MUST BE PAID ON OR BEFORE THE 4TH DAY OF APRIL, 1996.

2) YOU MAY ELECT TO STAND TRIAL IN THE DISTRICT COURT OF MARYLAND. TO DO THIS, YOU MUST NOTIFY THE BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT BY FILING IN THE APPEARED PORTION OF THIS CITATION AND RETURNING IT TO THE ZONING ADMINISTRATION OFFICE AT LEAST FIVE (5) DAYS BEFORE THE PAYMENT DUE DATE AS SET FORTH IN THE FINE PAYMENT SECTION ABOVE. THE DISTRICT COURT WILL NOTIFY YOU OF THE DATE AND TIME OF TRIAL.

IF THE FINE REMAINS UNPAID AT THE EXPIRATION OF THE FIFTY-FIVE (55) DAYS FROM THE DATE OF THE CITATION, THE ZONING ADMINISTRATION MAY REQUEST ADJUDICATION OF THE CASE IN DISTRICT COURT, AT WHICH TIME THE PERSON IS LIABLE FOR AN ADDITIONAL FINE NOT TO EXCEED TWICE THE ORIGINAL FINE. IF YOU FAIL TO APPEAR AT THE TRIAL, A SEARCH WARRANT WILL BE ISSUED FOR YOUR ARREST.

I DO SOLEMNLY AFFIRM THAT THE CONTENTS STATED ABOVE ARE CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

DATE 5/15/96 Donna Thompson  
OFFICE OF CODE ENFORCEMENT REPRESENTATIVE

BASED ON THE STATEMENT OF DONNA THOMPSON, THIS CITATION IS HEREBY ISSUED THIS 15TH DAY OF MAY, 1996.

Donna Thompson  
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT

ACKNOWLEDGEMENT

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS CITATION AND HEREBY PROMISE TO PAY THE FINE OR REQUEST A TRIAL DATE AS REQUIRED BY LAW. I UNDERSTAND THAT THE ACCEPTANCE OF THIS CITATION IS NOT AN ADMISSION OF GUILTY.

WILLIAM MORRIS, INC.

PLANNING - LANDSCAPE DESIGN  
ENVIRONMENTAL RESOURCE MANAGEMENT  
COURTHOUSE COMMONS SUITE B-7  
222 BOSLEY AVENUE, TOWSON, MD 21204

LETTER OF TRANSMITTAL

DATE <u>4/24/96</u>	SUB JOB NO. <u>417</u>
FILE NO.	YOUR JOB NO.
ATTENTION	
RE <u>6920 GERMAN HILL RD</u>	

GENTLEMEN:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via \_\_\_\_\_ the following items:

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications  
☐ Copy of letter ☐ Change order ☒ APPLICATION

DRAWING NO.	FILE NO.	DESCRIPTION	ACTION
3		APPLICATION	
12		SITE PLAN	
3		ZONING DESCRIPTION	
3		200 SIGN ZONING MAP	
		APPLICATION FEE	
		2 CHECKS	
		• \$250 SH	
		• \$35 SIGN	

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ As requested ☐ Submit \_\_\_\_\_ copies for distribution  
☐ For your use ☐ Resubmit \_\_\_\_\_ copies for approval ☐ Return \_\_\_\_\_ corrected prints  
☐ For review and comment ☐ \_\_\_\_\_  
☐ FOR BIDS DUE \_\_\_\_\_ 19\_\_\_\_ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS: PLAN HAS NOT BEEN REVIEWED BY STAFF  
PROPERTY HAS OUTSTANDING VIOLATION NOTICE  
WHICH, IN TURN, PRECIPITATED THE FILING OF  
THIS SPECIAL APPEAL APP.  
COPY TO: THIS SPECIAL APPEAL APP. SIGNED: W. J. Morris  
SEE DONNA THOMPSON

GRACELAND PARK IMPROVEMENT ASSOCIATION

May 24, 1996

Baltimore County Office of Planning & Zoning  
Arnold Jablon-Zoning Commissioner  
Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204

RE: Hearing for Interpretation of Accessory Use  
6920 C German Hill Road, Baltimore, MD 21224

Dear Mr. Jablon

I want to express the Graceland Park Improvement Association membership's position on the request for allowing a tanning salon as an accessory use to the video rental business located at the captioned property. They have been, and still are against it.

At the Petition for Variance hearing (see Case No. 96-194-A) the residents voiced their concerns about the limited parking spaces available on the subject property for the two existing businesses: a High's and the Video Attractions store. The tanning salon business was not included in the calculation of required parking spaces for this hearing, which is significant. This exclusion presents an additional issue to the original conclusions of the Deputy Zoning Commissioner. Would the number of current parking spaces still have been considered sufficient? Based on our understanding of the zoning requirements, it would not. In addition, the very nature of going in for a tanning session would require prolonged time in a parking space, thereby creating a more difficult situation to the immediate parking problem.

In regards to the issue at hand, tanning viewed as an accessory use to a video rental establishment, no one is able to come to any logical reasons to support that deduction. The alteration of one's skin color (tanning) would be seen as an normal extension of the beauty business where hair and nails may undergo similar color changes. Tanning services are often provided with Spa memberships, however, no one recalls being part of any conversation where an individual states "I think I'll go and pick up a tan and a video". Other video stores in this area do not include tanning as part of their operation, except for the second location of Video Attractions. Does this chain alone has a special insight into the needs of the typical video patron? We doubt it.

The residents are concerned there are still violations cited in the original hearing. The dumpster remains out on the parking lot. The outside lighting has not been improved to discourage loitering. Their solution to the foul graffiti on the building was to embellish upon the original work to "disguise" the lettering. Needless to say, the offensive words are still present. A temporary sign located on the property remains in the same spot where it was first placed, well



beyond the time limitation for such signs even with a permit. They cannot help but wonder if the owner has willing paid the fines as outline in zoning citation no. 96-269 rather than correct the situation.

In summary, this Association continues to support its members and other residents in the area with their opposition to any further commercial development of property in our neighborhood. We remain committed to the integrity and stability of the residential nature of our community. It is our desire to have the interpretation of tanning viewed as an accessory use be denied and trust your findings will concur. Please feel free to contact me at 284-5187 and direct any correspondence to:

Graceland Park Improvement Association  
Nancy L. Novak, President  
537 46th Street  
Baltimore, MD. 21224

Yours truly,

*Nancy L. Novak*  
Nancy L. Novak  
President

ATTEST: *Helena Karpischna*

cc: Councilman Louis L. DePazzo

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME	ADDRESS
✓ <i>Horacio Argueta</i>	641-48th St. 21224
✓ <i>James Coffey</i>	697A Germantown Rd. 21222
<i>Agua H. H. H.</i>	641-48th St. 21224
✓ <i>Henry E. Lepetina</i>	6943 German Hill Rd. 21222
✓ <i>Peter A. Lapetina</i>	" " " "
<i>Donald E. Brady Sr.</i>	6936 German Hill Rd. 21222
<i>Charlotte A. Brady</i>	" " " "
✓ <i>Lucy Marzano</i>	635 48th St. 21224
<i>Catharine M. Ruch</i>	645 48th St. 21224
<i>Charles J. Knapp</i>	6945 German Hill Rd.
<i>Benson F. Aufsen</i>	603 48th St. 21224
<i>Eleonora Hutson</i>	" " " "
<i>Mary A. Pierce</i>	617 & 48th St. 21224
<i>Natalie Kumpster</i>	635 & 48th St. 21224
✓ <i>John B. Bette</i>	656 & 48th St. 21224
✓ <i>Francesa Szymanski</i>	652 & 48th St. 21224
✓ <i>Anthony Modica</i>	638-48th St. 21224
<i>Salvatore Penna</i>	718 & 48th St. 21224
<i>Julio Argueta</i>	641 & 48th St. 21224
✓ <i>Nancy Novak</i>	537 46th St. 21224
✓ <i>Russell Claridge</i>	628-48th St. 21224
<i>Gregory Claridge</i>	628-48th St. 21224
<i>Kathleen Bruns</i>	632 48th St. 21224

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

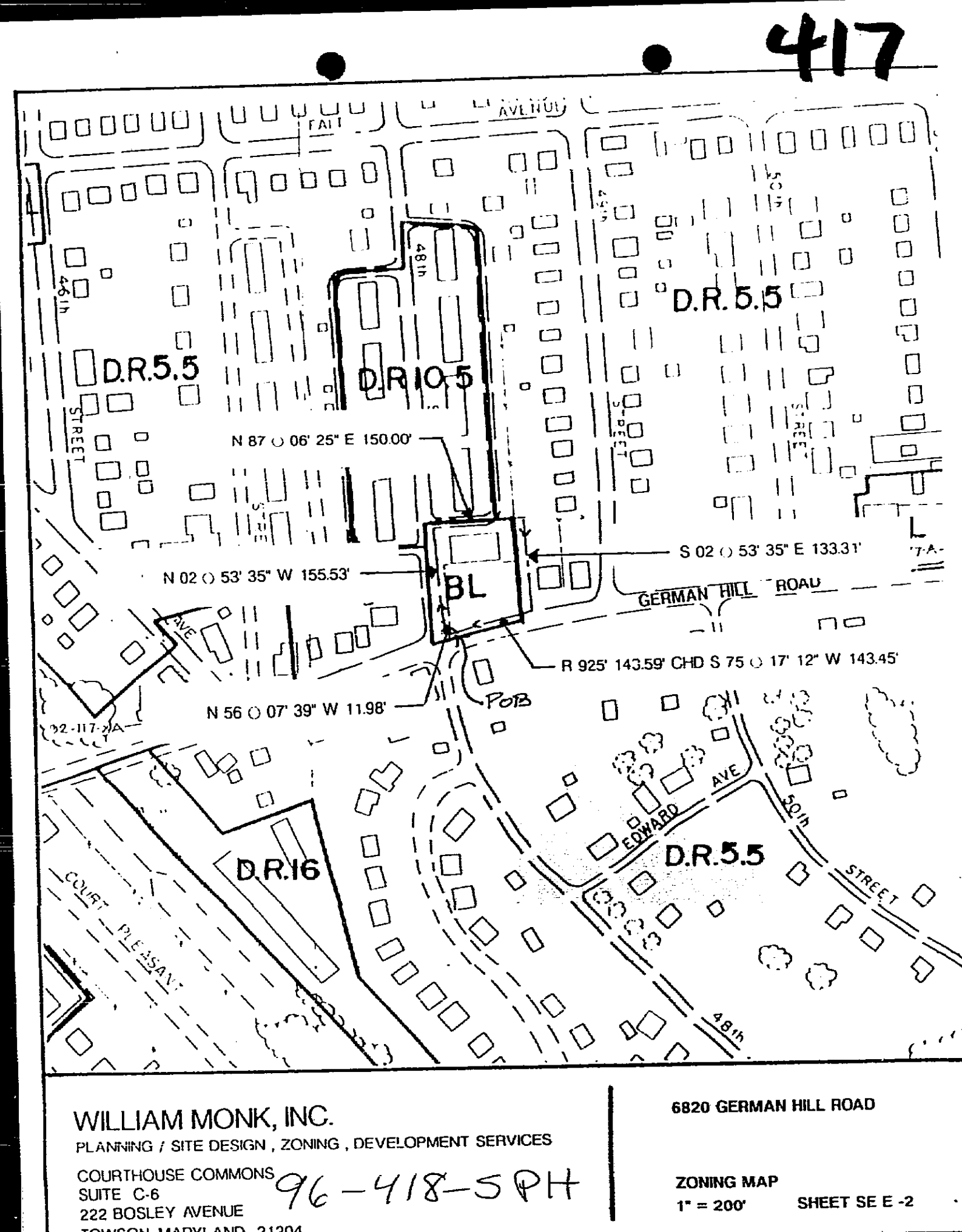
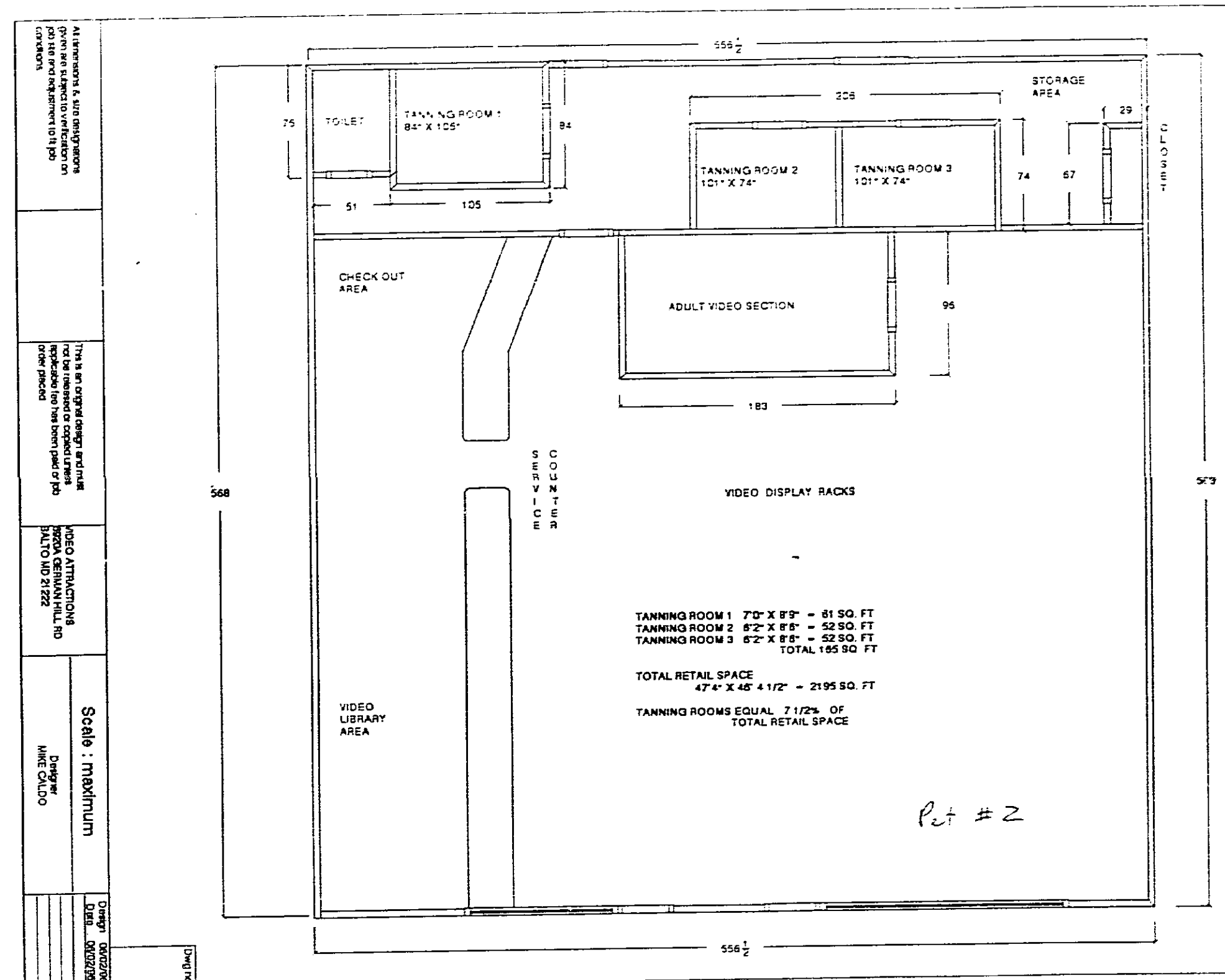
NAME	ADDRESS
<i>Don Blair</i>	22 S. 4th St.
<i>Wendy S. Blair</i>	1217-4th St.
<i>Robert D. Lyon</i>	3405 Dunraven Rd.
<i>PAMELA NEICE</i>	406 S. LEHIGH ST.
<i>Ross CALABAZZO</i>	232 R. BROAD RD.
<i>CAROLYN TRACY</i>	1951 Inverton Rd.
<i>Tracee Broadwater</i>	343 Brown Ave.
<i>Tina Labrador</i>	2212 Seaford Rd.
<i>John GALEANO</i>	712 E. 1st St.
<i>HENRY D. CALABAZZO</i>	3701 Mt. Pleasant
<i>Henry D. CALABAZZO, JR.</i>	1407 Rosewick Ave.
<i>Barry Dink</i>	3748 Oceanway Ave.
<i>Arthur (Anna)</i>	40 English River Turn

ZONING COMMISSIONER - WITNESS FORM

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
COMPANY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

REPRESENTING: \_\_\_\_\_  
SUPPORTING: PETITIONER \_\_\_\_\_ PROTESTANT \_\_\_\_\_

Exhibits	Witnesses
1A - H	Robert Lyon
2	Tracy
3A - B	Tracy
4A - C	Tracy
5	Tracy
6	Tracy



**FREE VIDEO MEMBERSHIP**

RENT 3 MOVIES FOR \$4.00

1 FREE VIDEO RENTAL

\$5.00 OFF MONTH OF TANNING

**VIDEOS & THINGS**  
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285-5346

**VIDEO STORE MARKETPLACE**

**It's Your Future!**

**Videos & Tanning — A Proven Combination!**

You've read the articles... You've heard the testimonials... You must act now!

Hundreds of video stores are already generating additional revenue by adding tanning equipment from Sun Industries, Inc.

**FREE! NO OBLIGATION MARKETING INTRO-PACK GETS YOU STARTED...**

✓ **FREE Break-Even Analysis**  
Explains operating expenses and income projections.

✓ **FREE Demographic Research**  
Identifies potential customer base.

✓ **FREE Marketing Poster**  
Measures customer interest—excellent marketing research tool.

✓ **FREE Educational Poster**  
Explains in detail the tanning process, tanning procedures and guidelines.

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**OUR SONS**

"A WINNER" says Time Magazine. "One of the finest suspense films I have ever seen."

ORDER DATE: 8/10/96  
STREET DATE: 7/16/96

OUR SONS SINGLE: \$14.95  
CAVALIER #1 RET. PRICE: \$49.95

IN THE DEEP WOODS SINGLE: \$14.95  
CAVALIER #2 RET. PRICE: \$49.95

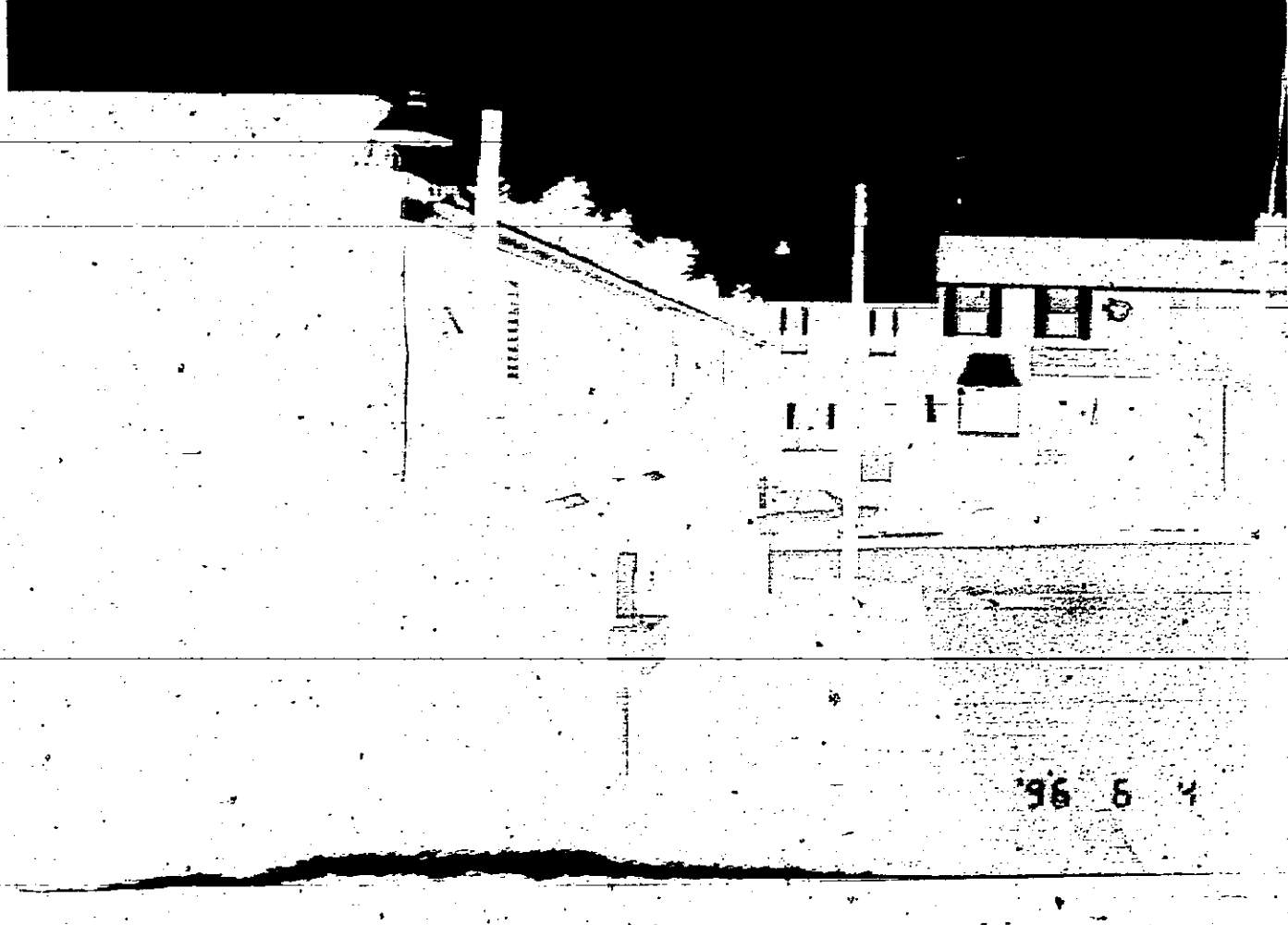
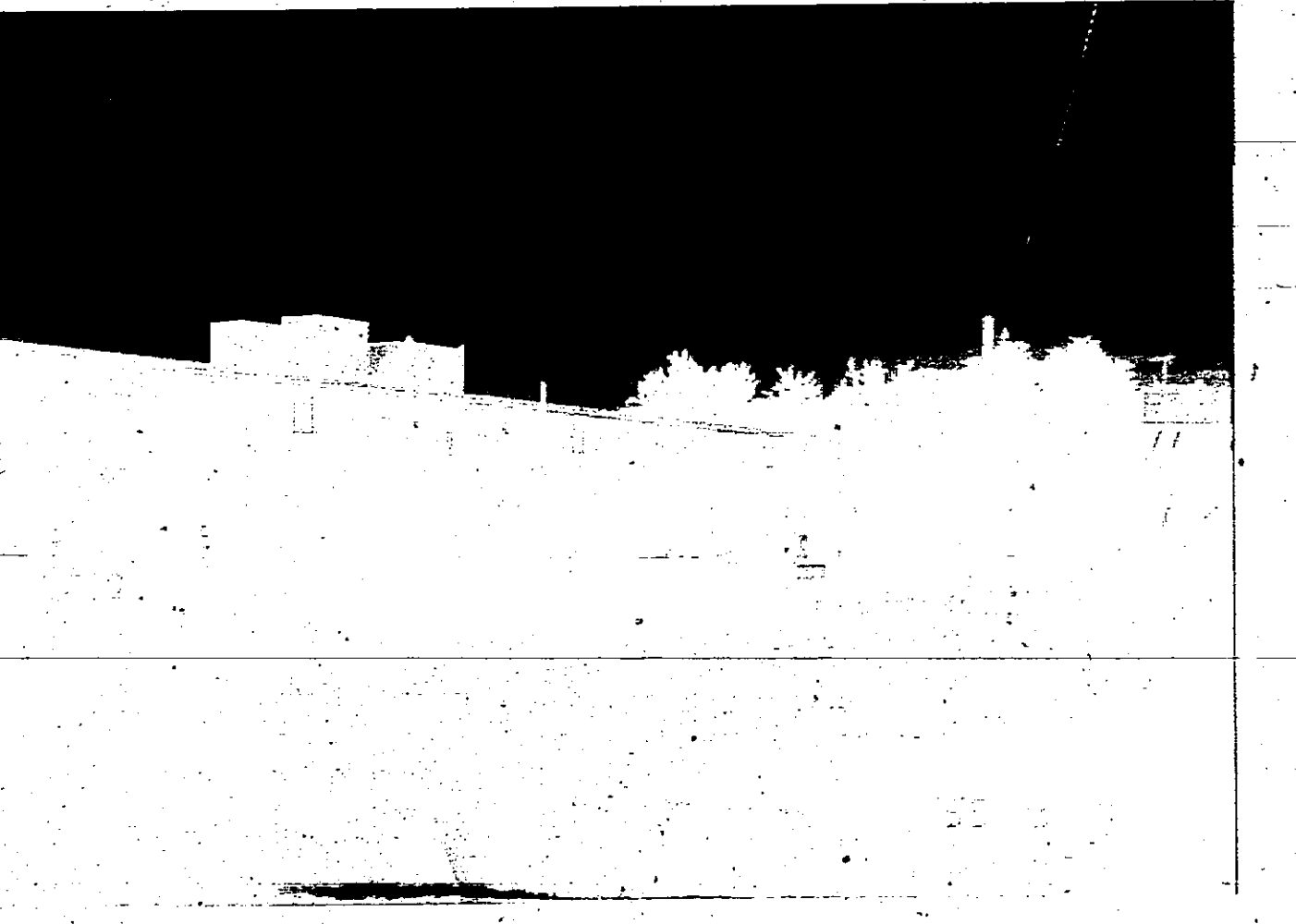
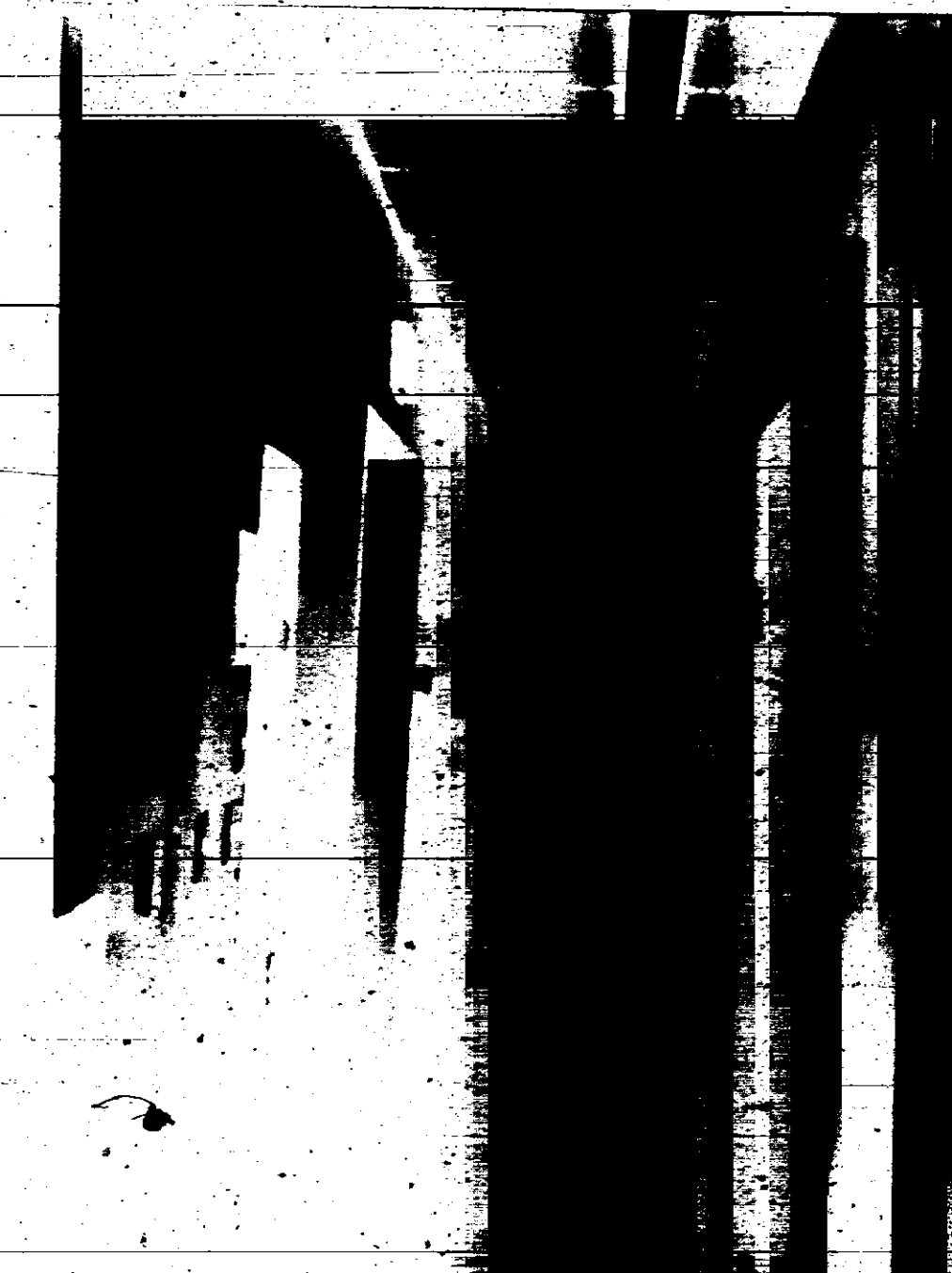
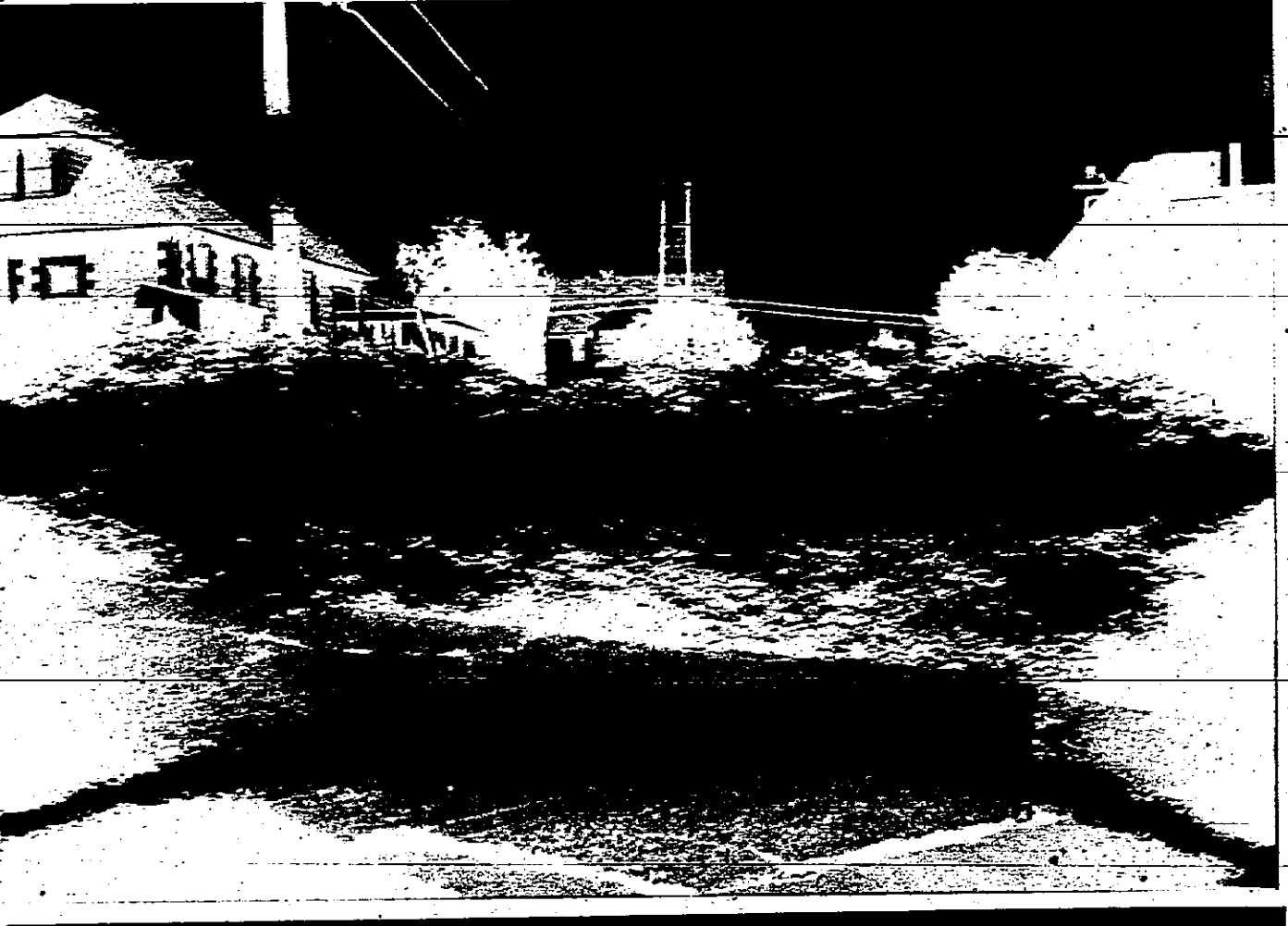
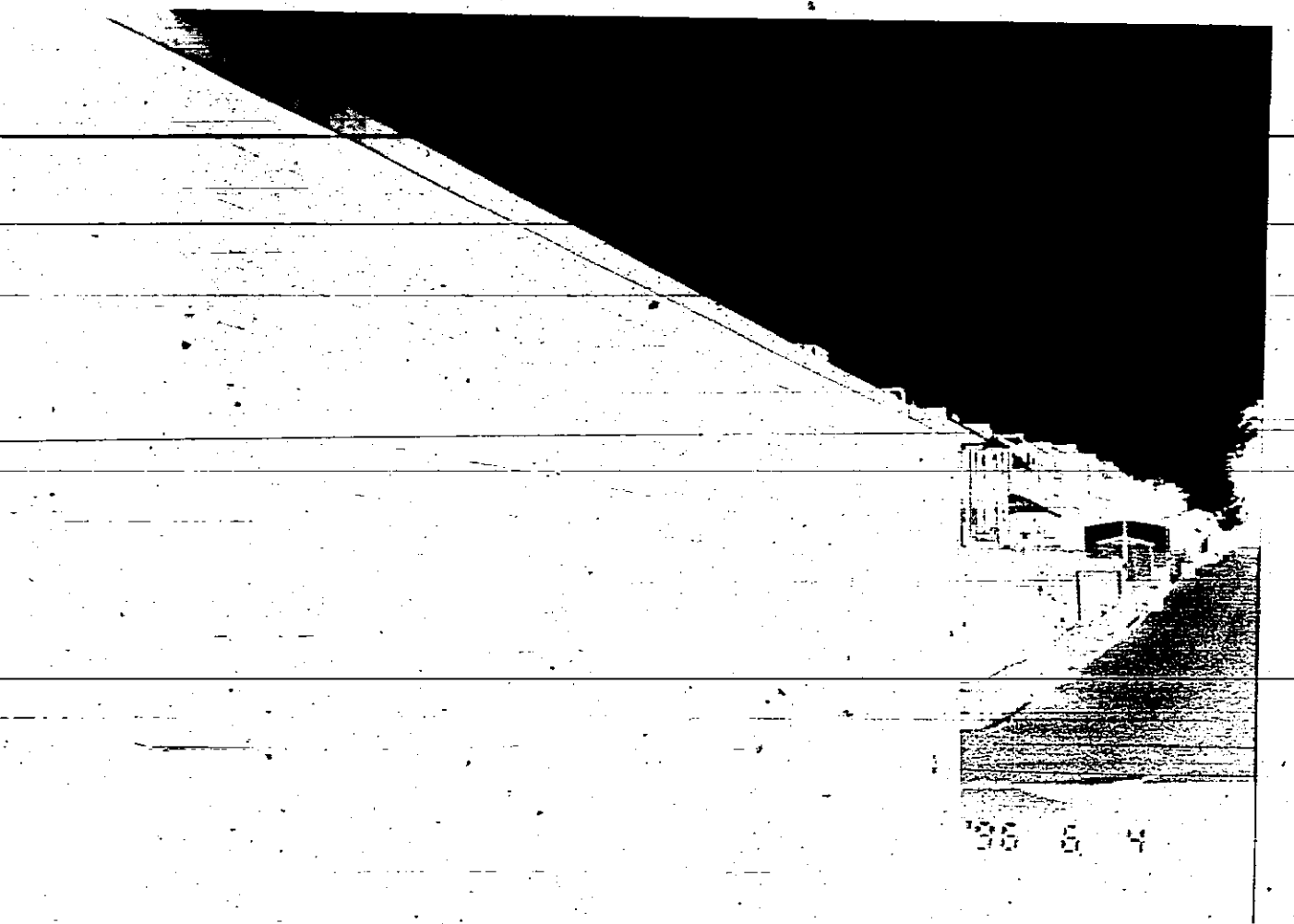
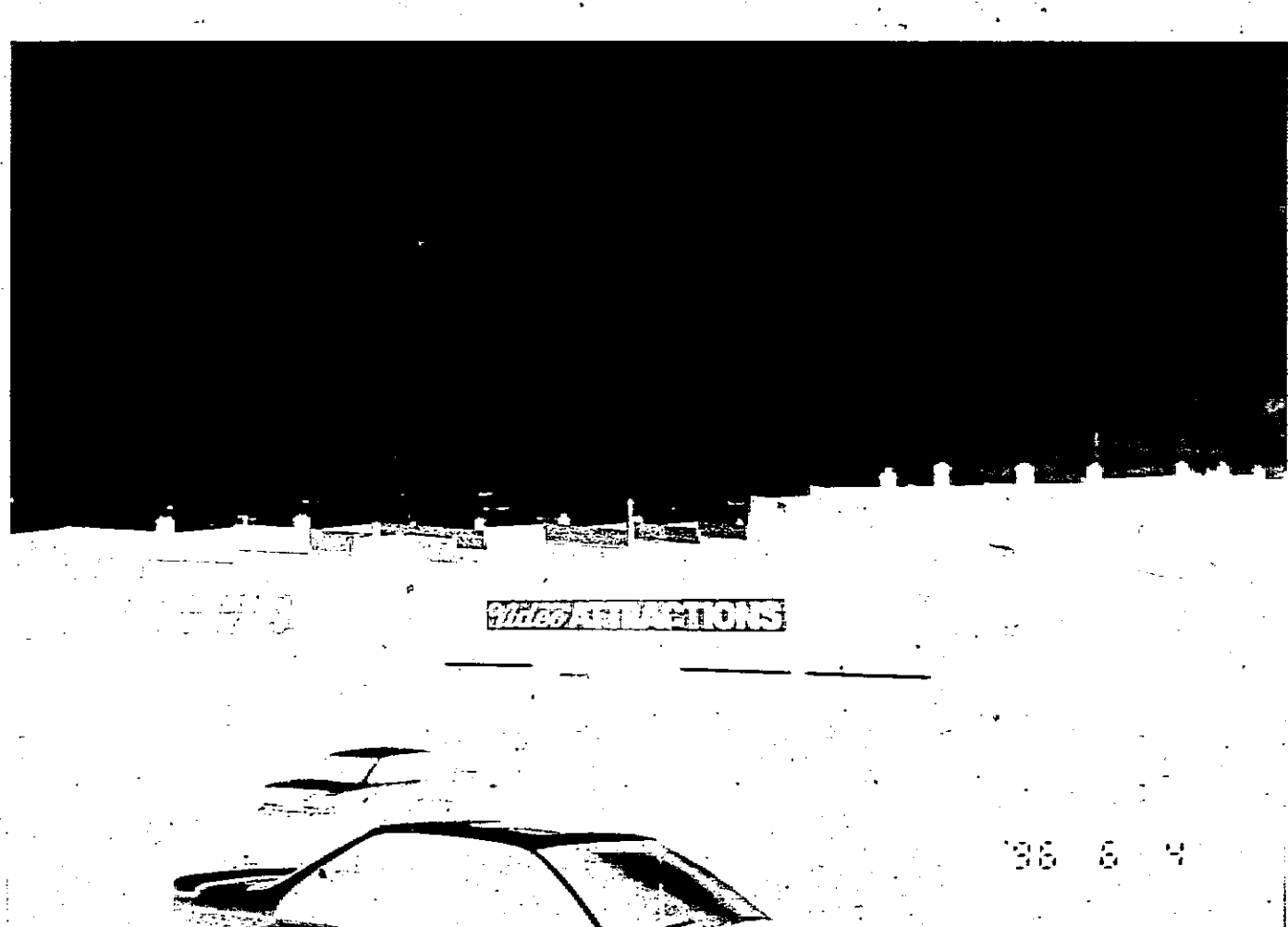
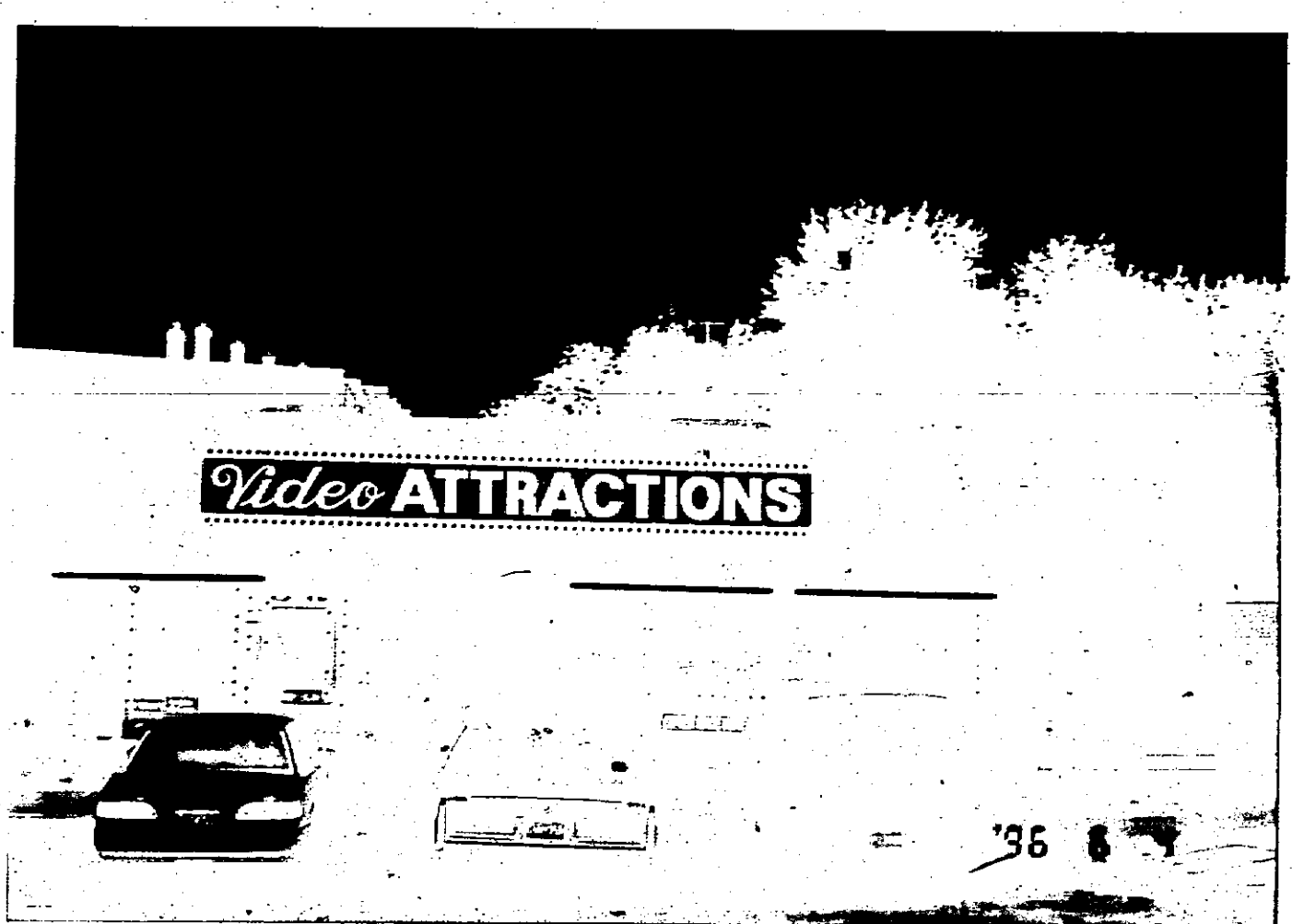
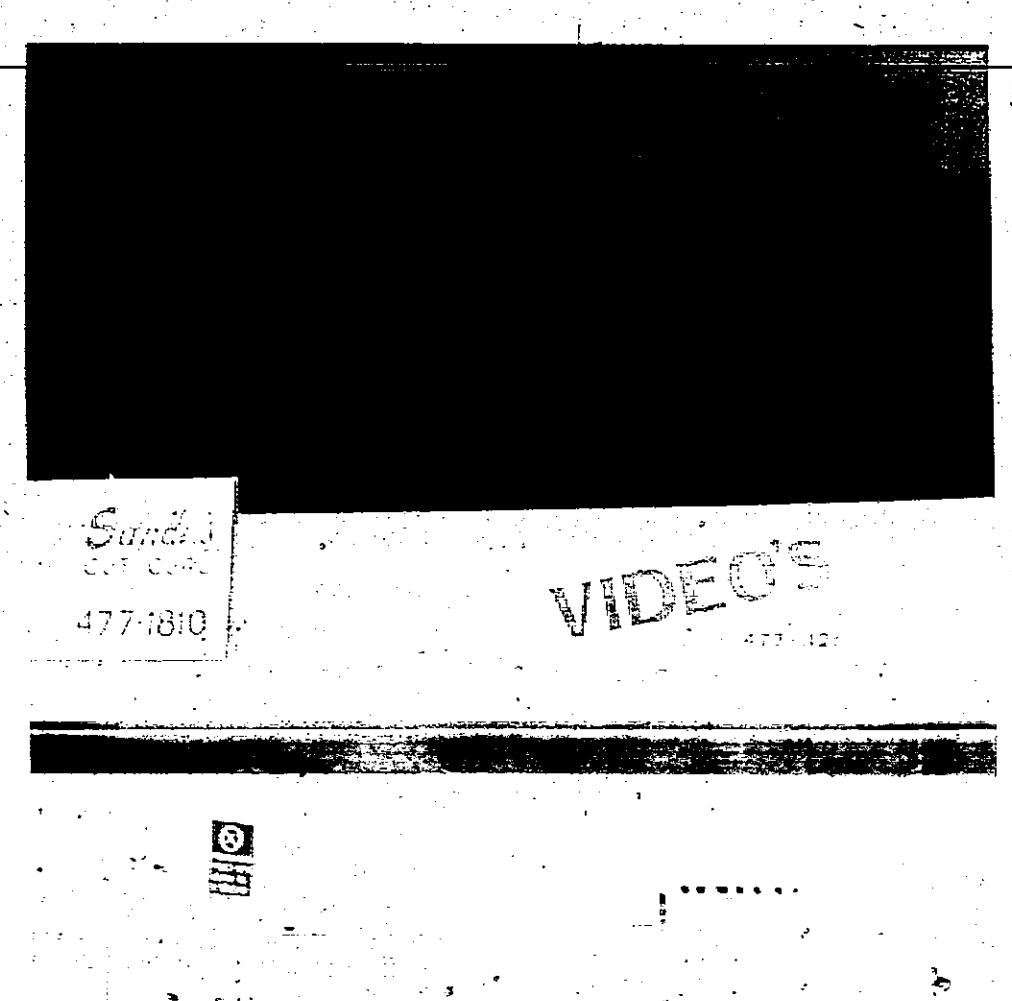
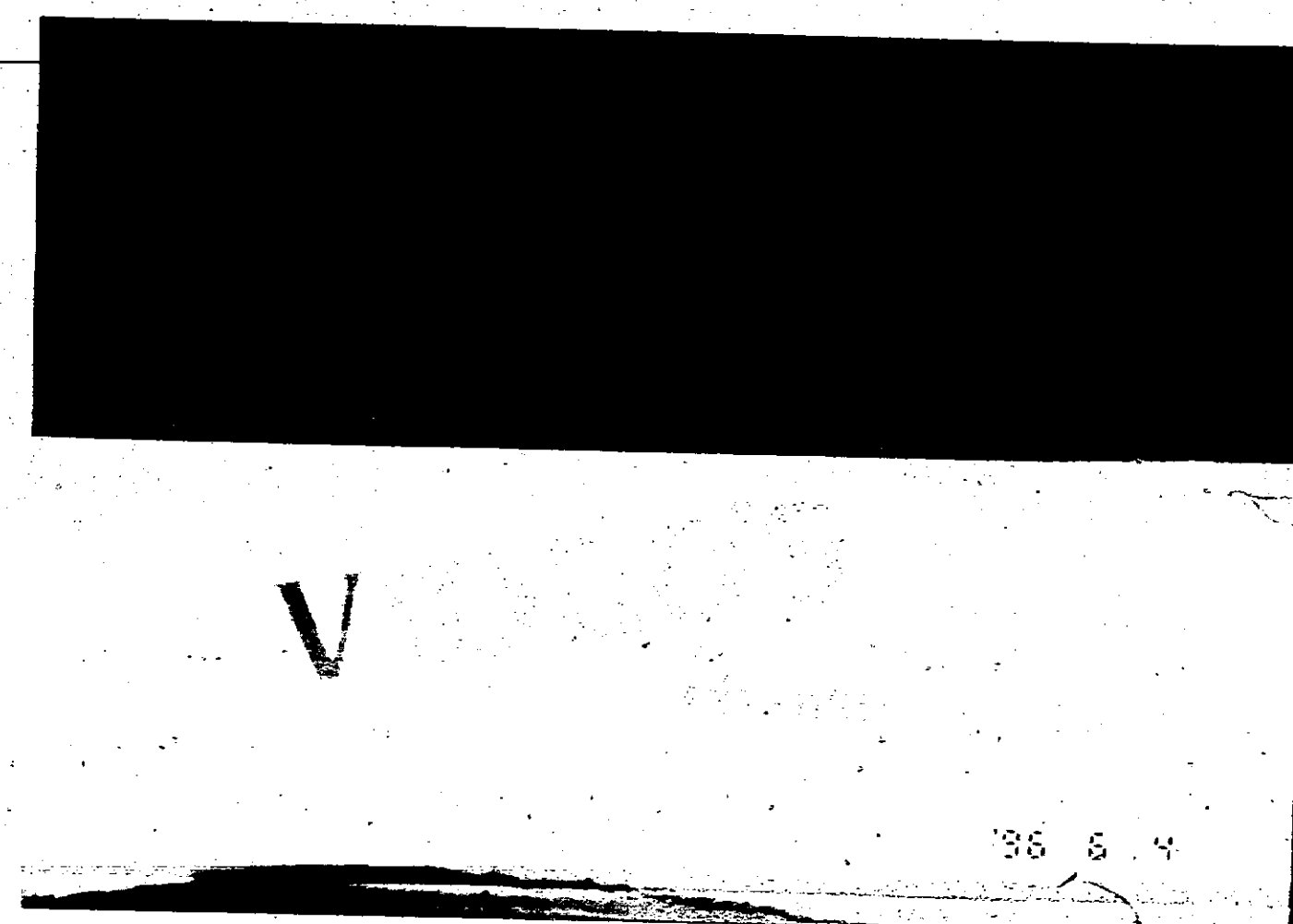
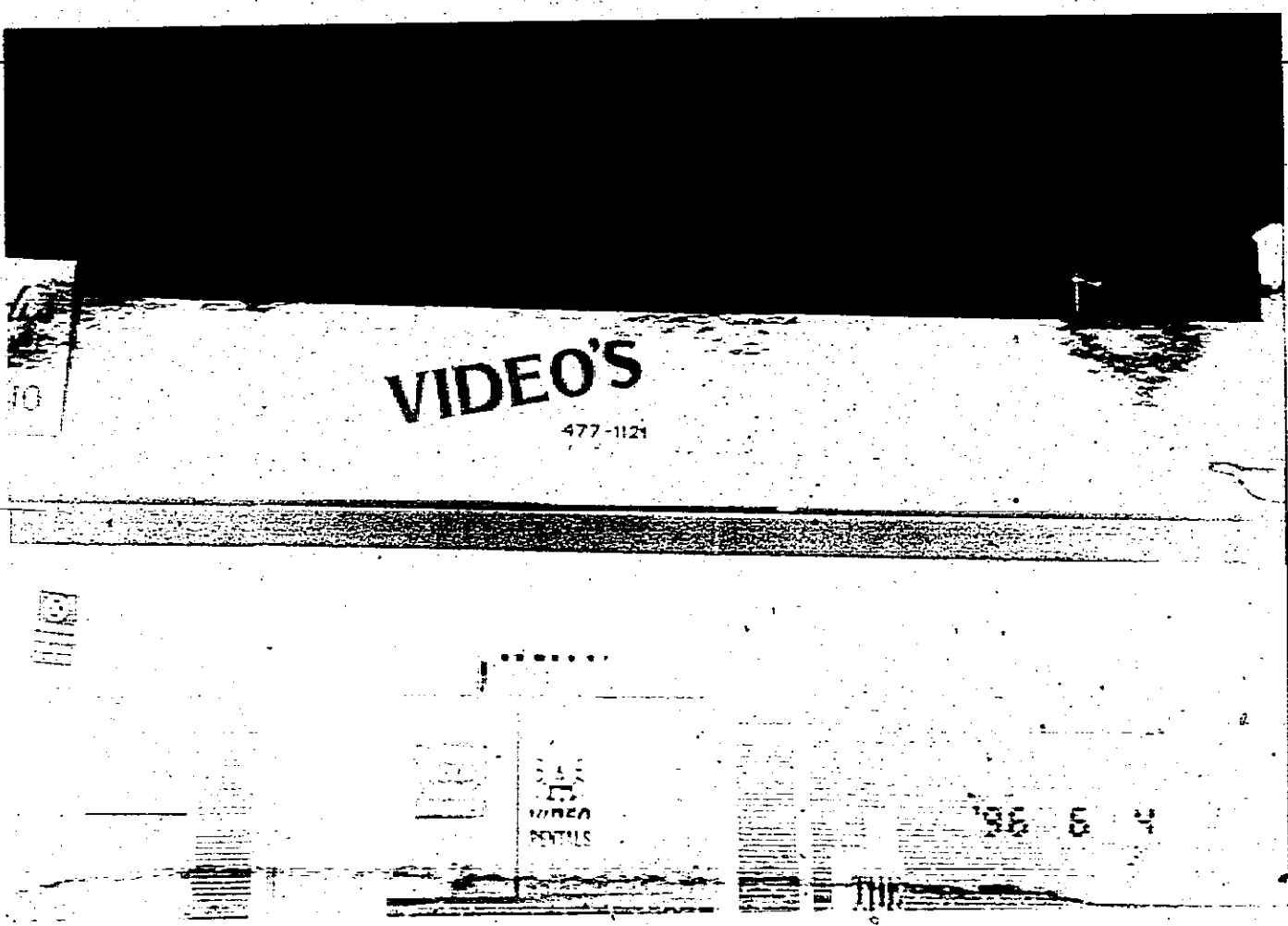
POWER PACK COMBINATION: \$14.95  
CAVALIER #3 RET. PRICE: \$49.95

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Pettinier's  
Exhibits 1A-1P  
photographs in  
Case No-418-SBH





B.C.M.D. GRID MERIDIAN

1) The Petitioner hereby agrees that should processing at this time is of his own volition until such time as the 30-day appellate process has expired. If, for whatever reason, this Order is reversed, the relief contained herein shall be reinstated.

2) The Petitioner and/or his tenants shall be required to maintain all security lighting on the premises in operable condition. If necessary, cases shall be installed around the security lighting to prevent vandalism.

3) The Petitioner and/or his tenants shall be required to maintain the premises in a clean and orderly fashion. All trash and debris shall be removed from the parking lot and from around the building on a daily basis.

[illegible]

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

E25600  
S5400

○ UTILITY POLE  
 S SANITARY MH  
 D STORM DRAIN MH  
 WVO WATER VALVE  
 FH FIRE HYDRANT  
 BC BOTTOM CURB 0.5' HIGH

NOTE: HORIZONTAL AND VERTICAL INFORMATION SHOWN HEREON IS BASED  
ON THE FOLLOWING BALTIMORE COUNTY TRAVERSE STATIONS:

X-7921	X-7927
S 5553.72	S 5415.02
E 25495.51	E 25701.24
	ELEV. - 103.34

NOTE: THIS PLAT FOR ZONING PURPOSES ONLY. BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY KCI TECHNOLOGIES 9/20/95

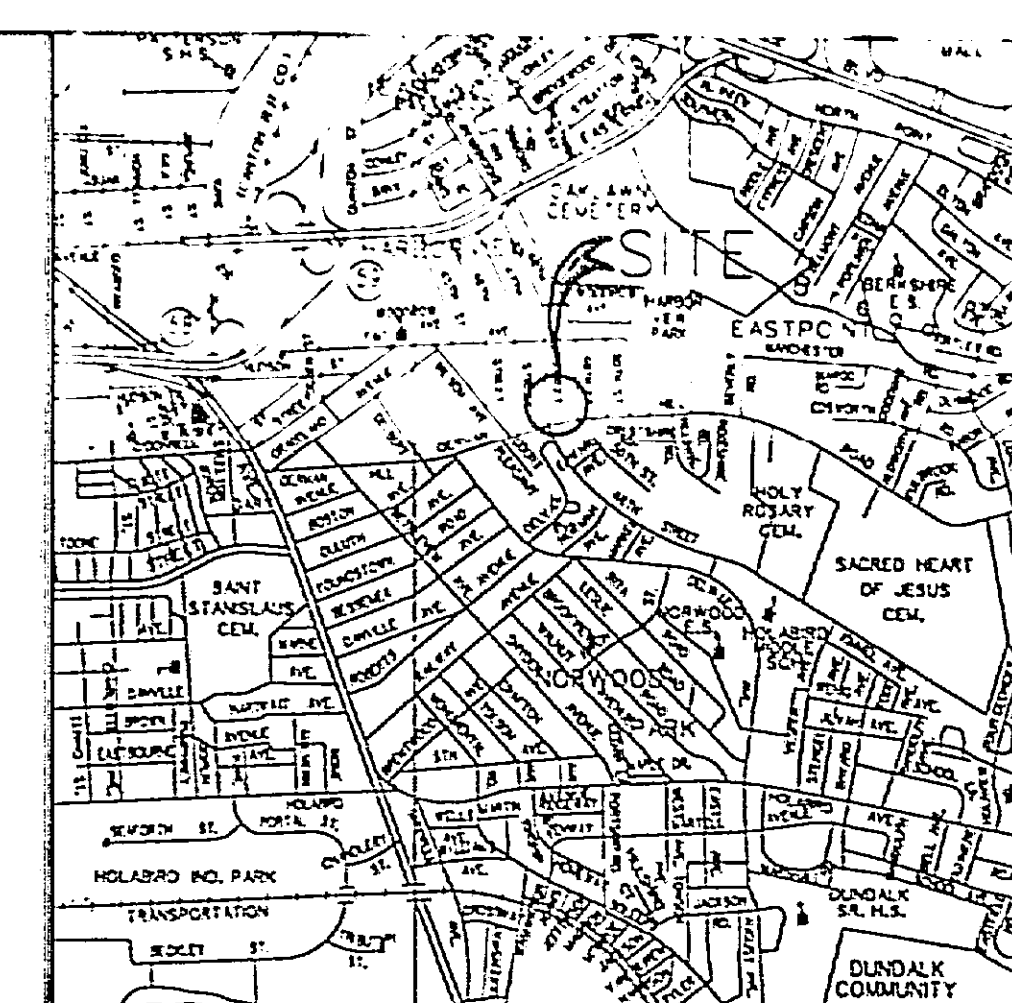
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**WILLIAM MONK, INC.**  
PLANNING • LANDSCAPE DESIGN  
ENVIRONMENTAL RESOURCE MANAGEMENT

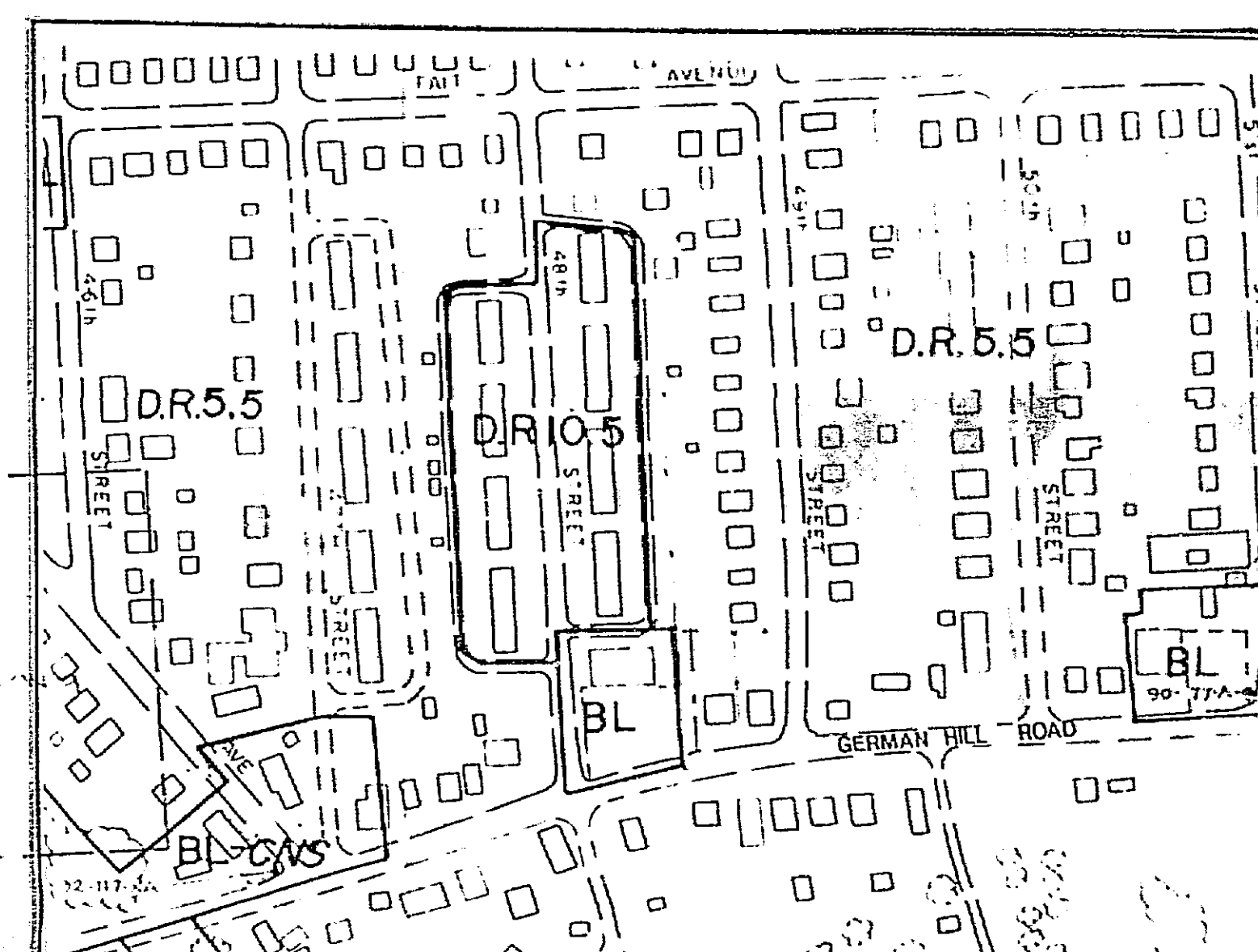
COURTHOUSE COMMONS  
222 BOSLEY AVENUE, SUITE # 7  
TOWSON, MARYLAND 21204  
(410) 494-8931

PORTION OF  
LC-S 202-207  
PLAT OF  
**HARBOR VIEW**  
PLAT 1004 A.P.C. 5 / 8C  
2TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

DESIGN WPM	SCALE: 1" = 20'
DRAWN WPM	SHEET 1 OF 1
CHECKED WPM	
DATE 4-1-1966	



LOCATION MAP  
SCALE: 1" = 2000'



**ZONING MAP**  
1" = 200'

96-418-SPH

PLAT TO ACCOMPANY  
SPECIAL HEARING APPLICATION

6820 GERMAN HILL ROAD  
BALTIMORE CO., MD.

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